

# EXHIBIT 7

DANIEL J. BERGESON, SBN 105439  
dbergeson@be-law.com  
REBECCA KAUFMAN, SBN 199534  
rkaufman@be-law.com  
JAIDEEP VENKATESAN, SBN 211386  
jvenkatesan@be-law.com  
ADAM C. TRIGG, SBN 261498  
atrigg@be-law.com  
BERGESON, LLP  
111 N. Market Street, Suite 600  
San Jose, CA 95113  
Telephone: (408) 291-6200  
Facsimile: (408) 297-6000

Attorneys for Defendant PROTON  
MANAGEMENT LTD.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

ELECTRIC SOLIDUS, INC. d/b/a  
SWAN BITCOIN, a Delaware  
corporation,

Plaintiff,

v.

PROTON MANAGEMENT LTD., a  
British Virgin Islands corporation;  
THOMAS PATRICK FURLONG;  
ILIOS CORP., a California corporation;  
MICHAEL ALEXANDER HOLMES;  
RAFAEL DIAS MONTELEONE;  
SANTHIRAN NAIDOO; ENRIQUE  
ROMUALDEZ; and LUCAS  
VASONCELOS,

Defendants.

Case No. 2:24-cv-8280-MWC-E

**DEFENDANT PROTON  
MANAGEMENT LTD'S  
SUPPLEMENTAL RESPONSES  
AND OBJECTIONS TO  
PLAINTIFF'S SECOND SET OF  
REQUESTS FOR PRODUCTION  
OF DOCUMENTS**

Am. Complaint filed: January 27, 2025

1 PROPOUNDING PARTY: Plaintiff ELECTRIC SOLIDUS, INC. d/b/a SWAN  
2 BITCOIN

3 RESPONDING PARTY: Defendant PROTON MANAGEMENT LTD

4 SET NO.: Two (2)

5 Pursuant to Federal Rule of Civil Procedure 34, Defendant PROTON  
6 MANAGEMENT LTD (“Responding Party”) submits these supplemental responses  
7 and objections to the Second Set of Requests for Production propounded by Plaintiff  
8 ELECTRIC SOLIDUS, INC. d/b/a SWAN BITCOIN (“Propounding Party”).

9 **PRELIMINARY STATEMENT**

10 The following responses are made solely for the purpose of, and in relation to,  
11 this action. Each response is provided subject to all appropriate objections  
12 (including, without limitation, objections concerning competency, relevancy,  
13 materiality, propriety, and admissibility) that would require the exclusion of any  
14 statement contained herein if the statement were made by a witness present and  
15 testifying in court. All such objections and grounds therefore are reserved and may  
16 be interposed at the time of trial.

17 The following responses are based on the facts and information presently  
18 known and available to Responding Party. Discovery, investigation, research, and  
19 analysis are still ongoing in this case and may disclose the existence of additional  
20 facts, add meaning to known facts, establish entirely new factual conclusions or  
21 legal contentions, or possibly lead to additions, variations, or changes to these  
22 responses. Without being obligated to do so, Responding Party reserves the right to  
23 change or supplement these responses as additional facts are discovered, revealed,  
24 recalled, or otherwise ascertained, and as further analysis and research disclose  
25 additional facts, contentions or legal theories which may apply.

**GENERAL OBJECTIONS TO REQUESTS FOR PRODUCTION**

1  
2 1. Responding Party objects to each and every request for production  
3 contained in the Requests to the extent that it seeks information that is protected  
4 from disclosure by the attorney-client privilege, work product doctrine, or any other  
5 applicable privilege or protection. Responding Party does not waive any protections  
6 or privileges by responding to the Requests. Any inadvertent disclosure of  
7 privileged information or work product in response to the Requests shall not  
8 constitute a waiver of any privilege or protection.

9 2. Responding Party objects to each and every request for production  
10 contained in the Requests to the extent that it purports to impose any requirement or  
11 discovery obligation on them that is inconsistent with, or not authorized by, those  
12 set forth in the Federal Rules of Civil Procedure. Responding Party will construe  
13 the Requests in a manner consistent with the Federal Rules of Civil Procedure.

14 3. Responding Party objects to each and every request for production  
15 contained in the Requests to the extent that it is overbroad and subjects Responding  
16 Party to unreasonable and undue annoyance, oppression, embarrassment, burden,  
17 and expense, and seeks information which is beyond the scope of permissible  
18 discovery and is neither relevant to any party's claims or defenses nor proportional  
19 to the needs of the case.

20 4. Responding Party objects to each and every request for production  
21 contained in the Requests to the extent that it is ambiguous, confusing, or vague.

22 5. Responding Party objects to each and every request for production  
23 contained in the Requests to the extent that it is unreasonably cumulative or  
24 duplicative.

25 6. Responding Party objects to each and every request for production  
26 contained in the Requests to the extent that it would require Responding Party to  
27 draw a legal conclusion in order to make a proper response.  
28

1           7.     Responding Party objects to each and every request for production  
2 contained in the Requests to the extent that it seeks information (i) which is a matter  
3 of public record, (ii) which is not in the possession, custody or control of  
4 Responding Party and/or (iii) which is equally or more readily available from  
5 another source, including Propounding Party's own files and records, that is more  
6 convenient, less burdensome, or less expensive to Responding Party.

7           8.     Responding Party objects to each and every request for production  
8 contained in the Requests to the extent that it calls for the production of confidential,  
9 proprietary, trade-secret, or other information in which individuals, including non-  
10 parties, have an expectation of privacy. Responding Party further objects to each  
11 and every request for production contained in the Requests to the extent it seeks  
12 information protected by the privacy protection of the California Constitution, or  
13 any other law, statute, or doctrine.

14           9.     Responding Party objects to each and every request for production  
15 contained in the Requests on the grounds that it is not restricted to a reasonable and  
16 relevant time period and is therefore unduly burdensome to Responding Party.

17           10.    Responding Party objects to the Requests to the extent that it seeks to  
18 use the discovery process in this action to obtain documents for any purpose other  
19 than for use in connection with claims and defenses currently raised in this action.

20           11.    The fact that Responding Party has responded or objected to any  
21 document requests, or part thereof, should not be taken as an admission that  
22 Responding Party accepts that the document request or the response or the objection  
23 thereto constitutes admissible evidence.

24           12.    Responding Party reserves the right to supplement, modify or otherwise  
25 change their response to the Requests as they develop new, better, additional or  
26 different information.

27                               **OBJECTIONS TO DEFINITIONS**  
28

1           1.       Responding Party objects to the definition of “**Communication**” as  
2 overly broad, unduly burdensome, vague, ambiguous and unintelligible to the extent  
3 it includes “whether or not the Communication was ever disclosed, sent, or  
4 transmitted.” For purposes of responding to the Requests, Responding Party will  
5 exclude the portion noted above from the definition of “**Communications**” in the  
6 Requests, and interpret the otherwise overbroad definition not to impose a burden  
7 beyond what is required by the Federal Rules of Civil Procedure, the Federal Rules  
8 of Evidence, and the Local Civil Rules of the U.S. District Court for the Central  
9 District of California.

10           2.       Responding Party objects to the definition of “**Documents**” as overly  
11 broad, unduly burdensome, vague, ambiguous and unintelligible to the extent it  
12 includes “whether or not the Communication was ever disclosed, sent, or  
13 transmitted.” For purposes of responding to the Requests, Responding Party will  
14 exclude the portion noted above from the definition of “**Documents**” in the  
15 Requests, and interpret the otherwise overbroad definition not to impose a burden  
16 beyond what is required by the Federal Rules of Civil Procedure, the Federal Rules  
17 of Evidence, and the Local Civil Rules of the U.S. District Court for the Central  
18 District of California.

19           3.       Responding Party object to the definition of “**Proton**” or “**You**” as  
20 overly broad, unduly burdensome, vague, ambiguous and unintelligible to the extent  
21 that it includes “any of its members, employees, representatives, officers, directors,  
22 managers, agents, attorneys, assigns, predecessors, affiliates, parents, subsidiaries,  
23 and any other entities or Persons acting or purporting to act on its behalf.” For  
24 purposes of responding to the Requests, Responding Party will interpret “**Proton**” or  
25 “**You**” as referring to Defendant Proton Management Ltd.

26           4.       Responding Party object to the definition of “**Elektron**” as overly  
27 broad, unduly burdensome, vague, ambiguous and unintelligible to the extent that it  
28 includes “any of its members, employees, representatives, officers, directors,

1 managers, agents, attorneys, assigns, predecessors, affiliates, parents, subsidiaries,  
2 and any other entities or Persons acting or purporting to act on its behalf.” For  
3 purposes of responding to the Requests, Responding Party will interpret “Elektron  
4 Energy” as referring to Elektron Management LLC or Elektron Enterprises LLC as  
5 stated in the response.

6 5. Responding Party objects to the definition of “**Concern**” or  
7 “**Concerning**” as overly broad, unduly burdensome, vague, ambiguous and  
8 unintelligible to the extent it includes “whether or not the Communication was ever  
9 disclosed, sent, or transmitted.” For purposes of responding to the Requests,  
10 Responding Party will exclude the portion noted above from the definition of  
11 “**Concern**” or “**Concerning**” in the Requests, and interpret the otherwise overbroad  
12 definition not to impose a burden beyond what is required by the Federal Rules of  
13 Civil Procedure, the Federal Rules of Evidence, and the Local Civil Rules of the  
14 U.S. District Court for the Central District of California.

15 6. Responding Party objects to the definition of “**Complaint**” as overly  
16 broad, unduly burdensome, vague, ambiguous and unintelligible. For purposes of  
17 responding to the Requests, Responding Party will interpret “**Complaint**” as  
18 referring to the most recent complaint filed in this Action.

19 7. Responding Party objects to the definition of “**Person**” or “**Persons**” as  
20 overly broad, unduly burdensome, vague, ambiguous and unintelligible. For  
21 purposes of responding to the Requests, Responding Party will exclude the portion  
22 noted above from the definition of “**Person**” or “**Persons**” in the Requests, and  
23 interpret the otherwise overbroad definition not to impose a burden beyond what is  
24 required by the Federal Rules of Civil Procedure, the Federal Rules of Evidence,  
25 and the Local Civil Rules of the U.S. District Court for the Central District of  
26 California.

27 8. Responding Party object to the definition of “**Swan**” as overly broad,  
28 unduly burdensome, vague, ambiguous and unintelligible to the extent that it

1 includes “any of its members, employees, representatives, officers, directors,  
2 managers, agents, attorneys, assigns, predecessors, affiliates, parents, subsidiaries,  
3 and any other entities or Persons acting or purporting to act on its behalf.” For  
4 purposes of responding to the Requests, Responding Party will interpret “**Swan**” as  
5 referring to Plaintiff Electric Solidus, Inc. d/b/a Swan Bitcoin.

6 9. Responding Party object to the definition of “**Tether**” as overly broad,  
7 unduly burdensome, vague, ambiguous and unintelligible to the extent that it  
8 includes “any of its members, employees, representatives, officers, directors,  
9 managers, agents, attorneys, assigns, predecessors, affiliates, parents, subsidiaries,  
10 and any other entities or Persons acting or purporting to act on its behalf.” For  
11 purposes of responding to the Requests, Responding Party will interpret “**Tether**” as  
12 referring to Tether Investment Ltd.

13 10. Responding Party object to the definition of “**Marlin Capital**” as  
14 overly broad, unduly burdensome, vague, ambiguous and unintelligible to the extent  
15 that it includes “any of its members, employees, representatives, officers, directors,  
16 managers, agents, attorneys, assigns, predecessors, affiliates, parents, subsidiaries,  
17 and any other entities or Persons acting or purporting to act on its behalf.” For  
18 purposes of responding to the Requests, Responding Party will interpret “**Marlin**  
19 **Capital**” as referring to Marlin Capital Partners.

20 11. Responding Party object to the definition of “**2040 Energy**” as overly  
21 broad, unduly burdensome, vague, ambiguous and unintelligible to the extent that it  
22 includes “any of its members, employees, representatives, officers, directors,  
23 managers, agents, attorneys, assigns, predecessors, affiliates, parents, subsidiaries,  
24 and any other entities or Persons acting or purporting to act on its behalf.” For  
25 purposes of responding to the Requests, Responding Party will interpret “**2040**  
26 **Energy**” as referring to 2040 Energy Ltd.

27 12. Responding Party objects to the definition of “**Mining Site**” as overly  
28 broad, unduly burdensome, vague, ambiguous and unintelligible, including with



1 regards to its statement that a “virtual site” and that a “Mining Site typically  
2 includes specialized mining hardware such as application-specific integrated circuits  
3 (“ASICs”), power supply systems, and cooling systems”. Responding Party will  
4 interpret “**Mining Site**” as referring to a physical location where application-specific  
5 integrated circuits (ASICs) are used to conduct bitcoin mining.

6 13. Responding Party objects to the definition of “**Swan’s Trade Secrets**”  
7 as overly broad, unduly burdensome, vague, and ambiguous, including as it purports  
8 to incorporate by reference “Swan’s Complaint” and “Swan’s Identification of  
9 Asserted Trade Secrets (dated February 14, 2025).

10 14. Responding Party objects to the definition of “**Swan’s BNOC**” as  
11 overly broad, unduly burdensome, vague, ambiguous and unintelligible including as  
12 it purports to incorporate “Paragraphs 73-79 of the Complaint”. Responding Party  
13 will interpret “**Swan’s BNOC**” as referring to the Bitcoin Network Operating  
14 Center dashboard developed for 2040 Energy, without any admission with respect to  
15 any claim that BNOC is proprietary to Propounding Party.

16 **RESPONSES TO REQUESTS FOR PRODUCTION**

17 **REQUEST FOR PRODUCTION NO. 5:**

18 Documents sufficient to show Proton’s corporate structure, including but not  
19 limited to Documents sufficient to identify Proton’s parents, subsidiaries, and  
20 affiliates, as well as the identities of Proton’s board of directors, officers, and  
21 managers.

22 **SUPPLEMENTAL SUPPLEMENTAL RESPONSE TO REQUEST FOR**  
23 **PRODUCTION NO. 5:**

24 Responding Party incorporates by references the General Objections and  
25 Objections to Definitions above as if fully set forth herein. Responding Party  
26 objects to this request to the extent that it seeks information that is protected from  
27 disclosure by the attorney-client privilege, work product doctrine, or any other  
28 applicable privilege or protection. Responding Party objects to this request to the

1 extent that it is unreasonably cumulative or duplicative of other requests for  
2 production. Responding Party objects to the request to the extent that it purports to  
3 require Responding Party to produce documents that contain trade secrets of  
4 Responding Party, or other confidential business, financial, proprietary, or sensitive  
5 information of Responding Party or third parties without entry of a satisfactory  
6 confidentiality order.

7 Subject to and without waiving the foregoing objections, Responding Party  
8 will produce non-privileged documents responsive to this request after the entry of a  
9 protective order.

10 **REQUEST FOR PRODUCTION NO. 6:**

11 Organizational charts for Proton's employees and consultants, including  
12 names, titles, and reporting lines.

13 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

14 Responding Party incorporates by references the General Objections and  
15 Objections to Definitions above as if fully set forth herein. Responding Party  
16 objects to this request to the extent that it seeks information that is protected from  
17 disclosure by the attorney-client privilege, work product doctrine, or any other  
18 applicable privilege or protection. Responding Party objects to this request to the  
19 extent that it is unreasonably cumulative or duplicative of other requests for  
20 production. Responding Party objects to the request to the extent that it purports to  
21 require Responding Party to produce documents that contain trade secrets of  
22 Responding Party, or other confidential business, financial, proprietary, or sensitive  
23 information of Responding Party or third parties without entry of a satisfactory  
24 confidentiality order.

25 Subject to and without waiving the foregoing objections, Responding Party  
26 will produce non-privileged documents responsive to this request after the entry of a  
27 protective order.

1 **REQUEST FOR PRODUCTION NO. 7:**

2 All Documents and Communications concerning Proton's formation and  
3 registration, including but not limited to Documents and Communications  
4 concerning who caused Proton's incorporation and on which date that person did so,  
5 as well as all communications San Naidoo and Alex Holmes exchanged with anyone  
6 regarding Proton's formation and registration.

7 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

8 Responding Party incorporates by references the General Objections and  
9 Objections to Definitions above as if fully set forth herein. Responding Party objects  
10 to this request to the extent that it seeks information that is protected from disclosure  
11 by the attorney-client privilege, work product doctrine, or any other applicable  
12 privilege or protection. Responding Party also objects to this request's demand as  
13 being compound, overbroad, overly burdensome, and harassing, and as seeking  
14 documents that are not relevant to the claims or defenses in this action. Responding  
15 Party further objects to this request on the grounds that it is vague, overbroad and  
16 subjects Responding Party to unreasonable and undue burden and expense.  
17 Responding Party also objects to this request on the grounds and to the extent that it  
18 seeks information that is not in the possession, custody or control of Responding  
19 Party and/or is equally or more readily available from another source which is more  
20 convenient, less burdensome, or less expensive. Responding Party objects to this  
21 request to the extent that it is unreasonably cumulative or duplicative of other  
22 requests for production. Responding Party objects to the request therein, to the  
23 extent that it purports to require Responding Party to produce documents that  
24 contain trade secrets of Responding Party, or other confidential business, financial,  
25 proprietary, or sensitive information of Responding Party or third parties without  
26 entry of a satisfactory confidentiality order. Responding Party also objects to this  
27 request for "All Documents and Communications" on the grounds that it is  
28 overbroad and subjects Responding Party to unreasonable and undue annoyance,

1 oppression, burden, and expense. Responding Party objects that this request is  
2 vague and ambiguous, including in its use of the phrase “concerning Proton’s  
3 formation and registration”.

4 Subject to and without waiving the foregoing objections, Responding Party  
5 will produce non-privileged documents responsive to this request located after a  
6 reasonable search, if any, after the entry of a protective order.

7 **REQUEST FOR PRODUCTION NO. 8:**

8 Documents sufficient to show Elektron’s corporate structure, including but  
9 not limited to Documents sufficient to identify Elektron’s owners, parents,  
10 subsidiaries, and affiliates, as well as the identities of Elektron’s board of directors,  
11 officers, and managers.

12 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

13 Responding Party incorporates by references the General Objections and  
14 Objections to Definitions above as if fully set forth herein. Responding Party objects  
15 to this request to the extent that it seeks information that is protected from disclosure  
16 by the attorney-client privilege, work product doctrine, or any other applicable  
17 privilege or protection. Responding Party objects to this request to the extent that it  
18 is unreasonably cumulative or duplicative of other requests for production.

19 Responding Party objects to the term “Elektron” as overly broad, unduly  
20 burdensome, vague, ambiguous and unintelligible. Responding Party objects to the  
21 request to the extent that it purports to require Responding Party to produce  
22 documents that contain trade secrets of Responding Party, or other confidential  
23 business, financial, proprietary, or sensitive information of Responding Party or  
24 third parties without entry of a satisfactory confidentiality order.

25 Subject to and without waiving the foregoing objections, Responding Party  
26 will produce non-privileged documents responsive to this request related to Elektron  
27 Management LLC and Elektron Enterprises LLC, after the entry of a protective  
28 order.

1 **REQUEST FOR PRODUCTION NO. 9:**

2 Organizational charts for Elektron's employees and consultants, including  
3 names, titles, and reporting lines.

4 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

5 Responding Party incorporates by references the General Objections and  
6 Objections to Definitions above as if fully set forth herein. Responding Party objects  
7 to this request to the extent that it seeks information that is protected from disclosure  
8 by the attorney-client privilege, work product doctrine, or any other applicable  
9 privilege or protection. Responding Party objects to this request to the extent that it  
10 is unreasonably cumulative or duplicative of other requests for production.

11 Responding Party objects to the term "Elektron" as overly broad, unduly  
12 burdensome, vague, ambiguous and unintelligible. Responding Party objects to the  
13 request to the extent that it purports to require Responding Party to produce  
14 documents that contain trade secrets of Responding Party, or other confidential  
15 business, financial, proprietary, or sensitive information of Responding Party or  
16 third parties without entry of a satisfactory confidentiality order.

17 Subject to and without waiving the foregoing objections, Responding Party  
18 will produce non-privileged documents responsive to this request related to Elektron  
19 Management LLC and Elektron Enterprises LLC, after the entry of a protective  
20 order.

21 **REQUEST FOR PRODUCTION NO. 10:**

22 All Documents and Communications concerning Elektron's formation and  
23 registration, including but not limited to Documents and Communications  
24 concerning who caused Elektron's incorporation and on which date that person did  
25 so.

26 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

27 Responding Party incorporates by references the General Objections and  
28 Objections to Definitions above as if fully set forth herein. Responding Party objects

1 to this request to the extent that it seeks information that is protected from disclosure  
2 by the attorney-client privilege, work product doctrine, or any other applicable  
3 privilege or protection. Responding Party also objects to this request's demand as  
4 being compound, overbroad, overly burdensome, and harassing, and as seeking  
5 documents that are not relevant to the claims or defenses in this action. Responding  
6 Party further objects to this request on the grounds that it is vague, overbroad and  
7 subjects Responding Party to unreasonable and undue burden and expense.  
8 Responding Party also objects to this request on the grounds and to the extent that it  
9 seeks information that is not in the possession, custody or control of Responding  
10 Party and/or is equally or more readily available from another source which is more  
11 convenient, less burdensome, or less expensive. Responding Party objects to this  
12 request to the extent that it is unreasonably cumulative or duplicative of other  
13 requests for production. Responding Party objects to the request to the extent that it  
14 purports to require Responding Party to produce documents that contain trade  
15 secrets of Responding Party, or other confidential business, financial, proprietary, or  
16 sensitive information of Responding Party or third parties without entry of a  
17 satisfactory confidentiality order. Responding Party objects that this request is vague  
18 and ambiguous, including in its use of the phrase "Elektron's formation and  
19 registration". Responding Party objects to the term "Elektron" as overly broad,  
20 unduly burdensome, vague, ambiguous and unintelligible. Responding Party also  
21 objects to this request for "All Documents and Communications" on the grounds  
22 that it is overbroad and subjects Responding Party to unreasonable and undue  
23 annoyance, oppression, burden, and expense.

24       Subject to and without waiving the foregoing objections, Responding Party  
25 will produce non-privileged documents responsive to this request related to Elektron  
26 Management LLC and Elektron Enterprises LLC located after a reasonable search,  
27 after the entry of a protective order.

1 **REQUEST FOR PRODUCTION NO. 11:**

2 Documents sufficient to identify all persons who have been or are engaged to  
3 do work on Your behalf related to Bitcoin mining, including but not limited to those  
4 identifying Your employees, consultants, and other agents, including Documents  
5 sufficient to identify those persons' roles and responsibilities and the dates of their  
6 engagements.

7 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

8 Responding Party incorporates by references the General Objections and  
9 Objections to Definitions above as if fully set forth herein. Responding Party objects  
10 to this request to the extent that it seeks information that is protected from disclosure  
11 by the attorney-client privilege, work product doctrine, or any other applicable  
12 privilege or protection. Responding Party objects to this request to the extent that it  
13 is unreasonably cumulative or duplicative of other requests for production.

14 Responding Party objects to the request to the extent that it purports to require  
15 Responding Party to produce documents that contain trade secrets of Responding  
16 Party, or other confidential business, financial, proprietary, or sensitive information  
17 of Responding Party or third parties without entry of a satisfactory confidentiality  
18 order. Responding Party objects that this request is vague and ambiguous and  
19 overbroad, including in its use of the phrase "Your." Responding Party will  
20 interpret "Your" to mean Proton Management Ltd.

21 Subject to and without waiving the foregoing objections, Responding Party  
22 will produce non-privileged documents responsive to this request after the entry of a  
23 protective order.

24 **REQUEST FOR PRODUCTION NO. 12:**

25 All agreements and Communications related to agreements between You and  
26 any other person concerning Bitcoin mining, as well as any drafts, term sheets, or  
27 amendments related to same, as well as Communications related to the negotiation  
28 or execution of same, and including but not limited to (i) agreements between You



1 and third parties and (ii) agreements between Your employees, consultants, and  
2 other agents and third parties.

3 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

4 Responding Party incorporates by references the General Objections and  
5 Objections to Definitions above as if fully set forth herein. Responding Party objects  
6 to this request to the extent that it seeks information that is protected from disclosure  
7 by the attorney-client privilege, work product doctrine, or any other applicable  
8 privilege or protection. Responding Party objects to this request to the extent that it  
9 is unreasonably cumulative or duplicative of other requests for production.

10 Responding Party objects to the request to the extent that it purports to require  
11 Responding Party to produce documents that contain trade secrets of Responding  
12 Party, or other confidential business, financial, proprietary, or sensitive information  
13 of Responding Party or third parties without entry of a satisfactory confidentiality  
14 order. Responding Party also objects to this request for “All Agreements and  
15 Communications” on the grounds that it is overbroad and subjects Responding Party  
16 to unreasonable and undue annoyance, oppression, burden, and expense.  
17 Responding Party objects that this request is vague and ambiguous and overbroad,  
18 including in its use of the phrase “You.” Responding Party will interpret “You” to  
19 mean Proton Management Ltd.

20 Subject to and without waiving the foregoing objections, Responding Party  
21 will produce non-privileged documents responsive to this request after the entry of a  
22 protective order.

23 **REQUEST FOR PRODUCTION NO. 13:**

24 Your agreements with the following persons, including but not limited to  
25 these persons’ employment or consulting agreements with You: Thomas Patrick  
26 Furlong, Alex Holmes, Ilios Corp., Rafael Dias Monteleone, San Naidoo, Enrique  
27 Romualdez, Lucas Vasconcelos, Aleksander Dozic, Bill Belitsky, Kar Sola, Raphael  
28 Zagury, Brett Hiley, Max Berg, Tyler Effertz.



**SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

Responding Party incorporates by references the General Objections and Objections to Definitions above as if fully set forth herein. Responding Party objects to this request to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, work product doctrine, or any other applicable privilege or protection. Responding Party objects to this request to the extent that it is unreasonably cumulative or duplicative of other requests for production.

Responding Party objects to the request to the extent that it purports to require Responding Party to produce documents that contain trade secrets of Responding Party, or other confidential business, financial, proprietary, or sensitive information of Responding Party or third parties without entry of a satisfactory confidentiality order. Responding Party objects that this request is vague and ambiguous and overbroad, including in its use of the phrase “Your.” Responding Party will interpret “Your” to mean Proton Management Ltd.

Subject to and without waiving the foregoing objections, Responding Party will produce non-privileged documents responsive to this request after the entry of a protective order.

**REQUEST FOR PRODUCTION NO. 14:**

All Documents and Communications related to the hiring (whether as an employee, consultant, or in another role) of Thomas Patrick Furlong, Alex Holmes, Ilios Corp., Rafael Dias Monteleone, San Naidoo, Enrique Romualdez, Lucas Vasconcelos, Aleksander Dozic, Bill Belitsky, Kar Sola, Raphael Zagury, Brett Hiley, Max Berg, and Tyler Effertz, including but not limited to their respective personnel files and human resource records.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

Responding Party incorporates by references the General Objections and Objections to Definitions above as if fully set forth herein. Responding Party objects to this request to the extent that it seeks information that is protected from disclosure

1 by the attorney-client privilege, work product doctrine, or any other applicable  
2 privilege or protection. Responding Party objects to this request to the extent that it  
3 is unreasonably cumulative or duplicative of other requests for production.  
4 Responding Party objects to the request to the extent that it purports to require  
5 Responding Party to produce documents that contain trade secrets of Responding  
6 Party, or other confidential business, financial, proprietary, or sensitive information  
7 of Responding Party or third parties without entry of a satisfactory confidentiality  
8 order. Responding Party also objects to this request for “All Documents and  
9 Communications” on the grounds that it is overbroad and subjects Responding Party  
10 to unreasonable and undue annoyance, oppression, burden, and expense.  
11 Responding Party objects that this request is vague and ambiguous and overbroad,  
12 regarding the phrase “the hiring (whether as an employee, consultant, or in another  
13 role) of.” Responding Party will interpret this request to apply to the hiring by  
14 Proton Management Ltd.

15 Subject to and without waiving the foregoing objections, Responding Party  
16 will produce non-privileged documents responsive to this request located after a  
17 reasonable search, after the entry of a protective order.

18 **REQUEST FOR PRODUCTION NO. 15:**

19 All Documents and Communications concerning Your hiring (whether as an  
20 employee, consultant, or in any other role) any additional personnel or consultants to  
21 work in roles related to Bitcoin mining.

22 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

23 Responding Party incorporates by references the General Objections and  
24 Objections to Definitions above as if fully set forth herein. Responding Party objects  
25 to this request to the extent that it seeks information that is protected from disclosure  
26 by the attorney-client privilege, work product doctrine, or any other applicable  
27 privilege or protection. Responding Party objects to this request to the extent that it  
28 is unreasonably cumulative or duplicative of other requests for production.

1 Responding Party objects to the request to the extent that it purports to require  
2 Responding Party to produce documents that contain trade secrets of Responding  
3 Party, or other confidential business, financial, proprietary, or sensitive information  
4 of Responding Party or third parties without entry of a satisfactory confidentiality  
5 order. Responding Party also objects to this request for “All Documents and  
6 Communications” on the grounds that it is overbroad and subjects Responding Party  
7 to unreasonable and undue annoyance, oppression, burden, and expense.  
8 Responding Party objects that this request is vague and ambiguous and overbroad,  
9 including in its use of the phrase “Your.” Responding Party will interpret “Your” to  
10 mean Proton Management Ltd.

11 Subject to and without waiving the foregoing objections, Responding Party  
12 will produce non-privileged documents responsive to this request located after a  
13 reasonable search, after the entry of a protective order.

14 **REQUEST FOR PRODUCTION NO. 16:**

15 All Documents and Communications concerning Your assuming, taking over,  
16 being engaged to work on or otherwise working on responsibilities and/or roles  
17 related to Bitcoin mining that were previously maintained or held by Swan.

18 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

19 Responding Party incorporates by references the General Objections and  
20 Objections to Definitions above as if fully set forth herein. Responding Party  
21 objects to this request to the extent that it seeks information that is protected from  
22 disclosure by the attorney-client privilege, work product doctrine, or any other  
23 applicable privilege or protection. Responding Party also objects to this request’s  
24 demand as being compound, overbroad, overly burdensome, and harassing, and as  
25 seeking documents that are not relevant to the claims or defenses in this action.  
26 Responding Party further objects to this request on the grounds that it is vague,  
27 overbroad and subjects Responding Party to unreasonable and undue burden and  
28 expense. Responding Party also objects to this request on the grounds and to the

1 extent that it seeks information that is not in the possession, custody or control of  
2 Responding Party and/or is equally or more readily available from another source  
3 which is more convenient, less burdensome, or less expensive. Responding Party  
4 objects to this request to the extent that it is unreasonably cumulative or duplicative  
5 of other requests for production. Responding Party objects to the request to the  
6 extent that it purports to require Responding Party to produce documents that  
7 contain trade secrets of Responding Party, or other confidential business, financial,  
8 proprietary, or sensitive information of Responding Party or third parties without  
9 entry of a satisfactory confidentiality order. Responding Party also objects to this  
10 request for “All Documents and Communications” on the grounds that it is  
11 overbroad and subjects Responding Party to unreasonable and undue annoyance,  
12 oppression, burden, and expense. Responding Party objects that this request is  
13 vague and ambiguous, including in its use of the phrase “assuming, taking over,  
14 being engaged to work on or otherwise working on”. Responding Party further  
15 objects to this Request on the grounds that Propounding Party has failed to comply  
16 with Cal. Civ. Proc. Code § 2019.210, which requires Propounding Party to identify  
17 with reasonable particularity the trade secrets it alleges that any defendant  
18 misappropriated before commencing discovery, as required by Section H of the  
19 Court’s Scheduling Order (Dkt. 95).

20 **REQUEST FOR PRODUCTION NO. 17:**

21 All Documents and Communications concerning the specific methods, tools  
22 models, or techniques that you use to select sites for, manage, operate, monitor, or  
23 otherwise oversee Bitcoin mining operations.

24 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

25 Responding Party incorporates by references the General Objections and  
26 Objections to Definitions above as if fully set forth herein. Responding Party  
27 objects to this request to the extent that it seeks information that is protected from  
28 disclosure by the attorney-client privilege, work product doctrine, or any other

1 applicable privilege or protection. Responding Party also objects to this request's  
2 demand as being compound, overbroad, overly burdensome, and harassing, and as  
3 seeking documents that are not relevant to the claims or defenses in this action.  
4 Responding Party further objects to this request on the grounds that it is vague,  
5 overbroad and subjects Responding Party to unreasonable and undue burden and  
6 expense. Responding Party also objects to this request on the grounds and to the  
7 extent that it seeks information that is not in the possession, custody or control of  
8 Responding Party and/or is equally or more readily available from another source  
9 which is more convenient, less burdensome, or less expensive. Responding Party  
10 objects to this request to the extent that it is unreasonably cumulative or duplicative  
11 of other requests for production. Responding Party objects to the request to the  
12 extent that it purports to require Responding Party to produce documents that  
13 contain trade secrets of Responding Party, or other confidential business, financial,  
14 proprietary, or sensitive information of Responding Party or third parties without  
15 entry of a satisfactory confidentiality order. Responding Party also objects to this  
16 request for "All Documents and Communications" on the grounds that it is  
17 overbroad and subjects Responding Party to unreasonable and undue annoyance,  
18 oppression, burden, and expense. Responding Party objects that this request is  
19 vague and ambiguous, including in its use of the phrase "specific methods, tools  
20 models, or techniques that you use to select sites for, manage, operate, monitor, or  
21 otherwise oversee Bitcoin mining operations". Responding Party further objects to  
22 this Request on the grounds that Propounding Party has failed to comply with Cal.  
23 Civ. Proc. Code § 2019.210, which requires Propounding Party to identify with  
24 reasonable particularity the trade secrets it alleges that any defendant  
25 misappropriated before commencing discovery, as required by Section H of the  
26 Court's Scheduling Order (Dkt. 95).

27 **REQUEST FOR PRODUCTION NO. 18:**

28 Documents sufficient to identify all Mining Sites at which You manage,

1 operate, or otherwise oversee Bitcoin mining operations.

2 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

3 Responding Party incorporates by references the General Objections and  
4 Objections to Definitions above as if fully set forth herein. Responding Party  
5 objects to this request to the extent that it seeks information that is protected from  
6 disclosure by the attorney-client privilege, work product doctrine, or any other  
7 applicable privilege or protection. Responding Party objects to this request to the  
8 extent that it is unreasonably cumulative or duplicative of other requests for  
9 production. Responding Party objects to the request to the extent that it purports to  
10 require Responding Party to produce documents that contain trade secrets of  
11 Responding Party, or other confidential business, financial, proprietary, or sensitive  
12 information of Responding Party or third parties without entry of a satisfactory  
13 confidentiality order. Responding Party further objects to this Request on the  
14 grounds that Propounding Party has failed to comply with Cal. Civ. Proc. Code §  
15 2019.210, which requires Propounding Party to identify with reasonable particularity  
16 the trade secrets it alleges that any defendant misappropriated before commencing  
17 discovery, as required by Section H of the Court's Scheduling Order (Dkt. 95).

18 **REQUEST FOR PRODUCTION NO. 19:**

19 Documents sufficient to show Bitcoin mining operations that You considered  
20 or planned to manage, operate, or otherwise oversee, or that any other Person asked,  
21 suggested, or discussed Your managing, operating, or otherwise overseeing,  
22 including Documents and Communications concerning the specific methods, tools,  
23 models, or techniques that you considered or planned to use in connection with such  
24 mining operations.

25 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

26 Responding Party incorporates by references the General Objections and  
27 Objections to Definitions above as if fully set forth herein. Responding Party  
28 objects to this request to the extent that it seeks information that is protected from



1 disclosure by the attorney-client privilege, work product doctrine, or any other  
2 applicable privilege or protection. Responding Party objects to this request to the  
3 extent that it is unreasonably cumulative or duplicative of other requests for  
4 production. Responding Party objects to the request to the extent that it purports to  
5 require Responding Party to produce documents that contain trade secrets of  
6 Responding Party, or other confidential business, financial, proprietary, or sensitive  
7 information of Responding Party or third parties without entry of a satisfactory  
8 confidentiality order. Responding Party objects that this request is vague and  
9 ambiguous, including in its use of the phrases “considered or planned” and “Bitcoin  
10 mining operations, managing, operating, or otherwise overseeing”. Responding  
11 Party further objects to this Request on the grounds that Propounding Party has  
12 failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires Propounding  
13 Party to identify with reasonable particularity the trade secrets it alleges that any  
14 defendant misappropriated before commencing discovery, as required by Section H  
15 of the Court’s Scheduling Order (Dkt. 95).

16 **REQUEST FOR PRODUCTION NO. 20:**

17 All Documents and Communications concerning the decrease or cessation of  
18 Bitcoin mining operations at any Mining Sites that Swan previously managed,  
19 operated, or otherwise engaged with, including but not limited to Communications  
20 and Documents regarding the removal of Bitcoin mining hardware, such as ASICs,  
21 power supply systems, and cooling systems, from those sites.

22 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

23 Responding Party incorporates by references the General Objections and  
24 Objections to Definitions above as if fully set forth herein. Responding Party  
25 objects to this request to the extent that it seeks information that is protected from  
26 disclosure by the attorney-client privilege, work product doctrine, or any other  
27 applicable privilege or protection. Responding Party also objects to this request’s  
28 demand as being compound, overbroad, overly burdensome, and harassing, and as

1 seeking documents that are not relevant to the claims or defenses in this action.  
2 Responding Party further objects to this request on the grounds that it is vague,  
3 overbroad and subjects Responding Party to unreasonable and undue burden and  
4 expense. Responding Party also objects to this request on the grounds and to the  
5 extent that it seeks information that is not in the possession, custody or control of  
6 Responding Party and/or is equally or more readily available from another source  
7 which is more convenient, less burdensome, or less expensive. Responding Party  
8 objects to this request to the extent that it is unreasonably cumulative or duplicative  
9 of other requests for production. Responding Party objects to the request to the  
10 extent that it purports to require Responding Party to produce documents that  
11 contain trade secrets of Responding Party, or other confidential business, financial,  
12 proprietary, or sensitive information of Responding Party or third parties without  
13 entry of a satisfactory confidentiality order. Responding Party also objects to this  
14 request for “All Documents and Communications” on the grounds that it is  
15 overbroad and subjects Responding Party to unreasonable and undue annoyance,  
16 oppression, burden, and expense. Responding Party objects that this request is  
17 vague and ambiguous, including in its use of the phrases “Bitcoin mined by mining  
18 pools Proton is a member of” and corporate ownership of each Person”.  
19 Responding Party further objects to this Request on the grounds that Propounding  
20 Party has failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires  
21 Propounding Party to identify with reasonable particularity the trade secrets it alleges  
22 that any defendant misappropriated before commencing discovery, as required by  
23 Section H of the Court’s Scheduling Order (Dkt. 95).

24 **REQUEST FOR PRODUCTION NO. 21:**

25 All Documents and Communications reflecting any correspondence between  
26 You and any current or former Swan employee or consultant discussing the topic of  
27 employment or potential employment at Proton or Elektron (or joining a company  
28 that was later formed as Proton or Elektron), as well as all of Your internal



1 Documents and Communications regarding the employment or potential  
2 employment of any current or former Swan employee or consultant.

3 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

4 Responding Party incorporates by references the General Objections and  
5 Objections to Definitions above as if fully set forth herein. Responding Party objects  
6 to this request to the extent that it seeks information that is protected from disclosure  
7 by the attorney-client privilege, work product doctrine, or any other applicable  
8 privilege or protection. Responding Party also objects to this request's demand as  
9 being compound, overbroad, overly burdensome, and harassing, and as seeking  
10 documents that are not relevant to the claims or defenses in this action. Responding  
11 Party objects to the term "Elektron" and "You" as overly broad, unduly  
12 burdensome, vague, ambiguous and unintelligible. Responding Party will interpret  
13 "You" to mean Proton Management Ltd., and "Elektron" to mean Elektron  
14 Management LLC or Elektron Enterprises LLC. Responding Party objects to the  
15 request to the extent that it purports to require Responding Party to produce  
16 documents that contain trade secrets of Responding Party, or other confidential  
17 business, financial, proprietary, or sensitive information of Responding Party or  
18 third parties without entry of a satisfactory confidentiality order. Responding Party  
19 also objects to this request for "All Documents and Communications" on the  
20 grounds that it is overbroad and subjects Responding Party to unreasonable and  
21 undue annoyance, oppression, burden, and expense.

22 Subject to and without waiving the foregoing objections, Responding Party  
23 will produce non-privileged documents responsive to this request located after a  
24 reasonable search, after the entry of a protective order.

25 **REQUEST FOR PRODUCTION NO. 22:**

26 All Documents and Communications concerning Your actual, planned, or  
27 attempted recruitment of any persons who provided or currently provide services to  
28 Swan.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

Responding Party incorporates by references the General Objections and Objections to Definitions above as if fully set forth herein. Responding Party objects to this request to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, work product doctrine, or any other applicable privilege or protection. Responding Party also objects to this request's demand as being compound, overbroad, overly burdensome, and harassing, and as seeking documents that are not relevant to the claims or defenses in this action. Responding Party objects to the term "Your" as overly broad, unduly burdensome, vague, ambiguous and unintelligible. Responding Party will interpret "Your" to mean Proton Management Ltd. Responding Party objects to the request to the extent that it purports to require Responding Party to produce documents that contain confidential business, financial, proprietary, or sensitive information of Responding Party or third parties without entry of a satisfactory confidentiality order. Responding Party also objects to this request for "All Documents and Communications" on the grounds that it is overbroad and subjects Responding Party to unreasonable and undue annoyance, oppression, burden, and expense.

Subject to and without waiving the foregoing objections, Responding Party will produce non-privileged documents responsive to this request located after a reasonable search, after the entry of a protective order.

**REQUEST FOR PRODUCTION NO. 23:**

All Documents or Communications concerning or referencing Swan's Trade Secrets, including Documents and Communications concerning Your actual, considered, or planned use of Swan's Trade Secrets.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

Responding Party incorporates by references the General Objections and Objections to Definitions above as if fully set forth herein. Responding Party objects to this request to the extent that it seeks information that is protected from disclosure

1 by the attorney-client privilege, work product doctrine, or any other applicable  
2 privilege or protection. Responding Party also objects to this request's demand as  
3 being compound, overbroad, overly burdensome, and harassing, and as seeking  
4 documents that are not relevant to the claims or defenses in this action. Responding  
5 Party further objects to this request on the grounds that it is vague, overbroad and  
6 subjects Responding Party to unreasonable and undue burden and expense.  
7 Responding Party also objects to this request on the grounds and to the extent that it  
8 seeks information that is not in the possession, custody or control of Responding  
9 Party and/or is equally or more readily available from another source which is more  
10 convenient, less burdensome, or less expensive. Responding Party objects to this  
11 request to the extent that it is unreasonably cumulative or duplicative of other  
12 requests for production. Responding Party objects to the request to the extent that it  
13 purports to require Responding Party to produce documents that contain trade  
14 secrets of Responding Party, or other confidential business, financial, proprietary, or  
15 sensitive information of Responding Party or third parties without entry of a  
16 satisfactory confidentiality order. Responding Party also objects to this request for  
17 "All Documents and Communications" on the grounds that it is overbroad and  
18 subjects Responding Party to unreasonable and undue annoyance, oppression,  
19 burden, and expense. Responding Party further objects to this Request on the  
20 grounds that Propounding Party has failed to comply with Cal. Civ. Proc. Code §  
21 2019.210, which requires Propounding Party to identify with reasonable particularity  
22 the trade secrets it alleges that any defendant misappropriated before commencing  
23 discovery, as required by Section H of the Court's Scheduling Order (Dkt. 95).

24 **REQUEST FOR PRODUCTION NO. 24:**

25 Documents that Your employees, consultants, and other agents downloaded,  
26 accessed, copied, were sent, or otherwise retained that relate to any of those persons'  
27 engagements with Swan, including but not limited to the files identified in Exhibit G  
28 to the Complaint.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

Responding Party incorporates by references the General Objections and Objections to Definitions above as if fully set forth herein. Responding Party objects to this request to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, work product doctrine, or any other applicable privilege or protection. Responding Party objects to this request to the extent that it is unreasonably cumulative or duplicative of other requests for production. Responding Party objects to the request to the extent that it purports to require Responding Party to produce documents that contain trade secrets of Responding Party, or other confidential business, financial, proprietary, or sensitive information of Responding Party or third parties without entry of a satisfactory confidentiality order. Responding Party further objects to this Request on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires Propounding Party to identify with reasonable particularity the trade secrets it alleges that any defendant misappropriated before commencing discovery, as required by Section H of the Court's Scheduling Order (Dkt. 95).

**REQUEST FOR PRODUCTION NO. 25:**

Communications concerning Your employees, consultants, and other agents' downloading, accessing, copying, or otherwise retaining Documents that they had access to as a result of any of those persons' engagements with Swan, including but not limited to the files identified in Exhibit G to the Complaint.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

Responding Party incorporates by references the General Objections and Objections to Definitions above as if fully set forth herein. Responding Party objects to this request to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, work product doctrine, or any other applicable privilege or protection. Responding Party also objects to this request's demand as being compound, overbroad, overly burdensome, and harassing, and as

1 seeking documents that are not relevant to the claims or defenses in this action.  
2 Responding Party further objects to this request on the grounds that it is vague,  
3 overbroad and subjects Responding Party to unreasonable and undue burden and  
4 expense. Responding Party also objects to this request on the grounds and to the  
5 extent that it seeks information that is not in the possession, custody or control of  
6 Responding Party and/or is equally or more readily available from another source  
7 which is more convenient, less burdensome, or less expensive. Responding Party  
8 objects to this request to the extent that it is unreasonably cumulative or duplicative  
9 of other requests for production. Responding Party objects to the request to the  
10 extent that it purports to require Responding Party to produce documents that  
11 contain trade secrets of Responding Party, or other confidential business, financial,  
12 proprietary, or sensitive information of Responding Party or third parties without  
13 entry of a satisfactory confidentiality order. Responding Party further objects to this  
14 Request on the grounds that Propounding Party has failed to comply with Cal. Civ.  
15 Proc. Code § 2019.210, which requires Propounding Party to identify with  
16 reasonable particularity the trade secrets it alleges that any defendant  
17 misappropriated before commencing discovery, as required by Section H of the  
18 Court's Scheduling Order (Dkt. 95).

19 **REQUEST FOR PRODUCTION NO. 26:**

20 All Documents and Communications concerning any Proton employee,  
21 consultant, or other agent's obligations or potential obligations to Swan, including  
22 but not limited to those arising from such persons' employment or consulting  
23 agreements with Swan.

24 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

25 Responding Party incorporates by references the General Objections and  
26 Objections to Definitions above as if fully set forth herein. Responding Party  
27 objects to this request to the extent that it seeks information that is protected from  
28 disclosure by the attorney-client privilege, work product doctrine, or any other

1 applicable privilege or protection. Responding Party also objects to this request's  
2 demand as being compound, overbroad, overly burdensome, and harassing, and as  
3 seeking documents that are not relevant to the claims or defenses in this action.  
4 Responding Party further objects to this request on the grounds that it is vague,  
5 overbroad and subjects Responding Party to unreasonable and undue burden and  
6 expense. Responding Party also objects to this request on the grounds and to the  
7 extent that it seeks information that is not in the possession, custody or control of  
8 Responding Party and/or is equally or more readily available from another source  
9 which is more convenient, less burdensome, or less expensive. Responding Party  
10 objects to this request to the extent that it is unreasonably cumulative or duplicative  
11 of other requests for production. Responding Party objects to the request to the  
12 extent that it purports to require Responding Party to produce documents that  
13 contain trade secrets of Responding Party, or other confidential business, financial,  
14 proprietary, or sensitive information of Responding Party or third parties without  
15 entry of a satisfactory confidentiality order. Responding Party further objects to this  
16 Request on the grounds that Propounding Party has failed to comply with Cal. Civ.  
17 Proc. Code § 2019.210, which requires Propounding Party to identify with  
18 reasonable particularity the trade secrets it alleges that any defendant  
19 misappropriated before commencing discovery, as required by Section H of the  
20 Court's Scheduling Order (Dkt. 95).

21 **REQUEST FOR PRODUCTION NO. 27:**

22 Documents and Communications sufficient to show any former or current  
23 Swan employee or consultant's job offer from Proton or Elektron (or an offer from a  
24 company that became Proton or Elektron), including all forms of compensation and  
25 benefits or promises thereof.

26 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

27 Responding Party incorporates by references the General Objections and  
28 Objections to Definitions above as if fully set forth herein. Responding Party objects



1 to this request to the extent that it seeks information that is protected from disclosure  
2 by the attorney-client privilege, work product doctrine, or any other applicable  
3 privilege or protection. Responding Party also objects to this request's demand as  
4 being compound, overbroad, overly burdensome, and harassing, and as seeking  
5 documents that are not relevant to the claims or defenses in this action. Responding  
6 Party objects to the term "Elektron" and "Proton" as overly broad, unduly  
7 burdensome, vague, ambiguous and unintelligible. Responding Party will interpret  
8 "Proton" to mean Proton Management Ltd., and "Elektron" to mean Elektron  
9 Management LLC or Elektron Enterprises LLC. Responding Party also objects to  
10 this request for "All Documents and Communications" on the grounds that it is  
11 overbroad and subjects Responding Party to unreasonable and undue annoyance,  
12 oppression, burden, and expense.

13 Subject to and without waiving the foregoing objections, Responding Party  
14 will produce non-privileged documents responsive to this request located after a  
15 reasonable search, after the entry of a protective order.

16 **REQUEST FOR PRODUCTION NO. 28:**

17 All Documents and Communications concerning any former or current Swan  
18 employee, consultant, or agent's development of Swan's Trade Secrets.

19 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

20 Responding Party incorporates by references the General Objections and  
21 Objections to Definitions above as if fully set forth herein. Responding Party  
22 objects to this request to the extent that it seeks information that is protected from  
23 disclosure by the attorney-client privilege, work product doctrine, or any other  
24 applicable privilege or protection. Responding Party also objects to this request's  
25 demand as being compound, overbroad, overly burdensome, and harassing, and as  
26 seeking documents that are not relevant to the claims or defenses in this action.  
27 Responding Party further objects to this request on the grounds that it is vague,  
28 overbroad and subjects Responding Party to unreasonable and undue burden and

1 expense. Responding Party also objects to this request on the grounds and to the  
2 extent that it seeks information that is not in the possession, custody or control of  
3 Responding Party and/or is equally or more readily available from another source  
4 which is more convenient, less burdensome, or less expensive. Responding Party  
5 objects to this request to the extent that it is unreasonably cumulative or duplicative  
6 of other requests for production. Responding Party objects to the request to the  
7 extent that it purports to require Responding Party to produce documents that  
8 contain trade secrets of Responding Party, or other confidential business, financial,  
9 proprietary, or sensitive information of Responding Party or third parties without  
10 entry of a satisfactory confidentiality order. Responding Party also objects to this  
11 request for “All Documents and Communications” on the grounds that it is  
12 overbroad and subjects Responding Party to unreasonable and undue annoyance,  
13 oppression, burden, and expense. Responding Party further objects to this Request  
14 on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc.  
15 Code § 2019.210, which requires Propounding Party to identify with reasonable  
16 particularity the trade secrets it alleges that any defendant misappropriated before  
17 commencing discovery, as required by Section H of the Court’s Scheduling Order  
18 (Dkt. 95).

19 **REQUEST FOR PRODUCTION NO. 29:**

20 All Documents and Communications concerning Your business plans,  
21 strategic plans, operating plans, marketing plans, financial plans, sales plans,  
22 investment plans, market studies, and target market, including projections for  
23 revenue generation and profitability, related to Bitcoin mining management and  
24 operation.

25 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

26 Responding Party incorporates by references the General Objections and  
27 Objections to Definitions above as if fully set forth herein. Responding Party  
28 objects to this request to the extent that it seeks information that is protected from



1 disclosure by the attorney-client privilege, work product doctrine, or any other  
2 applicable privilege or protection. Responding Party also objects to this request's  
3 demand as being compound, overbroad, overly burdensome, and harassing, and as  
4 seeking documents that are not relevant to the claims or defenses in this action.  
5 Responding Party further objects to this request on the grounds that it is vague,  
6 overbroad and subjects Responding Party to unreasonable and undue burden and  
7 expense. Responding Party also objects to this request on the grounds and to the  
8 extent that it seeks information that is not in the possession, custody or control of  
9 Responding Party and/or is equally or more readily available from another source  
10 which is more convenient, less burdensome, or less expensive. Responding Party  
11 objects to this request to the extent that it is unreasonably cumulative or duplicative  
12 of other requests for production. Responding Party objects to the request to the  
13 extent that it purports to require Responding Party to produce documents that  
14 contain trade secrets of Responding Party, or other confidential business, financial,  
15 proprietary, or sensitive information of Responding Party or third parties without  
16 entry of a satisfactory confidentiality order. Responding Party also objects to this  
17 request for "All Documents and Communications" on the grounds that it is  
18 overbroad and subjects Responding Party to unreasonable and undue annoyance,  
19 oppression, burden, and expense. Responding Party further objects to this Request  
20 on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc.  
21 Code § 2019.210, which requires Propounding Party to identify with reasonable  
22 particularity the trade secrets it alleges that any defendant misappropriated before  
23 commencing discovery, as required by Section H of the Court's Scheduling Order  
24 (Dkt. 95).

25 **REQUEST FOR PRODUCTION NO. 30:**

26 Documents and Communications sufficient to show Your total financial  
27 investment, including but not limited to employee time, purchase of capital  
28 equipment, and outside consultants, by quarter, into Your efforts to develop

1 proprietary methodologies for Bitcoin mining operations including, but not limited  
2 to, the development of any dashboard or monitoring system related to Bitcoin  
3 mining operations.

4 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

5 Responding Party incorporates by references the General Objections and  
6 Objections to Definitions above as if fully set forth herein. Responding Party objects  
7 to this request to the extent that it seeks information that is protected from disclosure  
8 by the attorney-client privilege, work product doctrine, or any other applicable  
9 privilege or protection. Responding Party objects to this request to the extent that it  
10 is unreasonably cumulative or duplicative of other requests for production.

11 Responding Party objects to the request to the extent that it purports to require  
12 Responding Party to produce documents that contain trade secrets of Responding  
13 Party, or other confidential business, financial, proprietary, or sensitive information  
14 of Responding Party or third parties without entry of a satisfactory confidentiality  
15 order. Responding Party further objects to this Request on the grounds that  
16 Propounding Party has failed to comply with Cal. Civ. Proc. Code § 2019.210,  
17 which requires Propounding Party to identify with reasonable particularity the trade  
18 secrets it alleges that any defendant misappropriated before commencing discovery,  
19 as required by Section H of the Court's Scheduling Order (Dkt. 95).

20 **REQUEST FOR PRODUCTION NO. 31:**

21 All Documents and Communications concerning Your actual, planned, or  
22 attempted development or use of any dashboard or monitoring system related to  
23 Bitcoin mining operations, including but not limited to any dashboard or monitoring  
24 system similar to Swan's BNOC or intended to serve as a replacement to Swan's  
25 BNOC.

26 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 31:**

27 Responding Party incorporates by references the General Objections and  
28 Objections to Definitions above as if fully set forth herein. Responding Party

1 objects to this request to the extent that it seeks information that is protected from  
2 disclosure by the attorney-client privilege, work product doctrine, or any other  
3 applicable privilege or protection. Responding Party also objects to this request's  
4 demand as being compound, overbroad, overly burdensome, and harassing, and as  
5 seeking documents that are not relevant to the claims or defenses in this action.  
6 Responding Party further objects to this request on the grounds that it is vague,  
7 overbroad and subjects Responding Party to unreasonable and undue burden and  
8 expense. Responding Party also objects to this request on the grounds and to the  
9 extent that it seeks information that is not in the possession, custody or control of  
10 Responding Party and/or is equally or more readily available from another source  
11 which is more convenient, less burdensome, or less expensive. Responding Party  
12 objects to this request to the extent that it is unreasonably cumulative or duplicative  
13 of other requests for production. Responding Party objects to the request to the  
14 extent that it purports to require Responding Party to produce documents that  
15 contain trade secrets of Responding Party, or other confidential business, financial,  
16 proprietary, or sensitive information of Responding Party or third parties without  
17 entry of a satisfactory confidentiality order. Responding Party also objects to this  
18 request for "All Documents and Communications" on the grounds that it is  
19 overbroad and subjects Responding Party to unreasonable and undue annoyance,  
20 oppression, burden, and expense Responding Party objects that this request is vague  
21 and ambiguous, including in its use of the phrase "any dashboard or monitoring  
22 system similar to Swan's BNOC or intended to serve as a replacement to Swan's  
23 BNOC". Responding Party further objects to this Request on the grounds that  
24 Propounding Party has failed to comply with Cal. Civ. Proc. Code § 2019.210,  
25 which requires Propounding Party to identify with reasonable particularity the trade  
26 secrets it alleges that any defendant misappropriated before commencing discovery,  
27 as required by Section H of the Court's Scheduling Order (Dkt. 95).

28

1 **REQUEST FOR PRODUCTION NO. 32:**

2 All Documents and Communications concerning any comparison between  
3 any dashboard or monitoring system related to Bitcoin mining operations that You  
4 use to Swan's BNOC.

5 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 32:**

6 Responding Party incorporates by references the General Objections and  
7 Objections to Definitions above as if fully set forth herein. Responding Party  
8 objects to this request to the extent that it seeks information that is protected from  
9 disclosure by the attorney-client privilege, work product doctrine, or any other  
10 applicable privilege or protection. Responding Party also objects to this request's  
11 demand as being compound, overbroad, overly burdensome, and harassing, and as  
12 seeking documents that are not relevant to the claims or defenses in this action.  
13 Responding Party further objects to this request on the grounds that it is vague,  
14 overbroad and subjects Responding Party to unreasonable and undue burden and  
15 expense. Responding Party also objects to this request on the grounds and to the  
16 extent that it seeks information that is not in the possession, custody or control of  
17 Responding Party and/or is equally or more readily available from another source  
18 which is more convenient, less burdensome, or less expensive. Responding Party  
19 objects to this request to the extent that it is unreasonably cumulative or duplicative  
20 of other requests for production. Responding Party objects to the request to the  
21 extent that it purports to require Responding Party to produce documents that  
22 contain trade secrets of Responding Party, or other confidential business, financial,  
23 proprietary, or sensitive information of Responding Party or third parties without  
24 entry of a satisfactory confidentiality order. Responding Party also objects to this  
25 request for "All Documents and Communications" on the grounds that it is  
26 overbroad and subjects Responding Party to unreasonable and undue annoyance,  
27 oppression, burden, and expense. Responding Party further objects to this Request  
28 on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc.

1 Code § 2019.210, which requires Propounding Party to identify with reasonable  
2 particularly the trade secrets it alleges that any defendant misappropriated before  
3 commencing discovery, as required by Section H of the Court's Scheduling Order  
4 (Dkt. 95).

5 **REQUEST FOR PRODUCTION NO. 33:**

6 All Documents and Communications concerning any comparison between  
7 Swan's Trade Secrets and any techniques, methods, or tools You use to manage,  
8 operate, or otherwise engage in Bitcoin mining activities.

9 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 33:**

10 Responding Party incorporates by references the General Objections and  
11 Objections to Definitions above as if fully set forth herein. Responding Party  
12 objects to this request to the extent that it seeks information that is protected from  
13 disclosure by the attorney-client privilege, work product doctrine, or any other  
14 applicable privilege or protection. Responding Party also objects to this request's  
15 demand as being compound, overbroad, overly burdensome, and harassing, and as  
16 seeking documents that are not relevant to the claims or defenses in this action.  
17 Responding Party further objects to this request on the grounds that it is vague,  
18 overbroad and subjects Responding Party to unreasonable and undue burden and  
19 expense. Responding Party also objects to this request on the grounds and to the  
20 extent that it seeks information that is not in the possession, custody or control of  
21 Responding Party and/or is equally or more readily available from another source  
22 which is more convenient, less burdensome, or less expensive. Responding Party  
23 objects to this request to the extent that it is unreasonably cumulative or duplicative  
24 of other requests for production. Responding Party objects to the request to the  
25 extent that it purports to require Responding Party to produce documents that  
26 contain trade secrets of Responding Party, or other confidential business, financial,  
27 proprietary, or sensitive information of Responding Party or third parties without  
28 entry of a satisfactory confidentiality order. Responding Party also objects to this

1 request for “All Documents and Communications” on the grounds that it is  
2 overbroad and subjects Responding Party to unreasonable and undue annoyance,  
3 oppression, burden, and expense. Responding Party objects that this request is  
4 vague and ambiguous, including in its use of the phrases “any techniques, methods,  
5 or tools You use to manage, operate, or otherwise engage in Bitcoin mining  
6 activities”. Responding Party further objects to this Request on the grounds that  
7 Propounding Party has failed to comply with Cal. Civ. Proc. Code § 2019.210,  
8 which requires Propounding Party to identify with reasonable particularity the trade  
9 secrets it alleges that any defendant misappropriated before commencing discovery,  
10 as required by Section H of the Court’s Scheduling Order (Dkt. 95).

11 **REQUEST FOR PRODUCTION NO. 34:**

12 Documents and Communications concerning Your efforts to keep the  
13 techniques, methods, or tools You use to manage, operate, or otherwise engage in  
14 Bitcoin mining activities secret or confidential.

15 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 34:**

16 Responding Party incorporates by references the General Objections and  
17 Objections to Definitions above as if fully set forth herein. Responding Party  
18 objects to this request to the extent that it seeks information that is protected from  
19 disclosure by the attorney-client privilege, work product doctrine, or any other  
20 applicable privilege or protection. Responding Party also objects to this request’s  
21 demand as being compound, overbroad, overly burdensome, and harassing, and as  
22 seeking documents that are not relevant to the claims or defenses in this action.  
23 Responding Party further objects to this request on the grounds that it is vague,  
24 overbroad and subjects Responding Party to unreasonable and undue burden and  
25 expense. Responding Party also objects to this request on the grounds and to the  
26 extent that it seeks information that is not in the possession, custody or control of  
27 Responding Party and/or is equally or more readily available from another source  
28 which is more convenient, less burdensome, or less expensive. Responding Party



1 objects to this request to the extent that it is unreasonably cumulative or duplicative  
2 of other requests for production. Responding Party objects to the request to the  
3 extent that it purports to require Responding Party to produce documents that  
4 contain trade secrets of Responding Party, or other confidential business, financial,  
5 proprietary, or sensitive information of Responding Party or third parties without  
6 entry of a satisfactory confidentiality order. Responding Party objects that this  
7 request is vague and ambiguous, including in its use of the phrases “techniques,  
8 methods, or tools You use to manage, operate, or otherwise engage in Bitcoin  
9 mining activities”. Responding Party further objects to this Request on the grounds  
10 that Propounding Party has failed to comply with Cal. Civ. Proc. Code § 2019.210,  
11 which requires Propounding Party to identify with reasonable particularity the trade  
12 secrets it alleges that any defendant misappropriated before commencing discovery,  
13 as required by Section H of the Court’s Scheduling Order (Dkt. 95).

14 **REQUEST FOR PRODUCTION NO. 35:**

15 Documents and Communications concerning any actual or considered  
16 indemnification of You and/or Your employees, consultants, or other agents  
17 concerning activities related to Bitcoin mining, including but not limited to (i) any  
18 agreements under which any third party has agreed to indemnify You and/or Your  
19 employees, consultants, and other agents; and (ii) any agreements under which You  
20 have agreed to indemnify Your employees, consultants, and other agents.

21 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 35:**

22 Responding Party incorporates by references the General Objections and  
23 Objections to Definitions above as if fully set forth herein. Responding Party objects  
24 to this request to the extent that it seeks information that is protected from disclosure  
25 by the attorney-client privilege, work product doctrine, or any other applicable  
26 privilege or protection. Responding Party also objects to this request’s demand as  
27 being compound, overbroad, overly burdensome, and harassing, and as seeking  
28 documents that are not relevant to the claims or defenses in this action. Responding

1 Party also objects to this request on the grounds and to the extent that it seeks  
2 information that is not in the possession, custody or control of Responding Party  
3 and/or is equally or more readily available from another source which is more  
4 convenient, less burdensome, or less expensive. Responding Party objects to this  
5 request to the extent that it is unreasonably cumulative or duplicative of other  
6 requests for production. Responding Party objects to the request to the extent that it  
7 purports to require Responding Party to produce documents that contain trade  
8 secrets of Responding Party, or other confidential business, financial, proprietary, or  
9 sensitive information of Responding Party or third parties without entry of a  
10 satisfactory confidentiality order. Responding Party further objects to this request  
11 on the grounds that it is vague, overbroad and subjects Responding Party to  
12 unreasonable and undue burden and expense.

13 Subject to and without waiving the foregoing objections, Responding Party  
14 will produce non-privileged documents responsive to this request concerning  
15 indemnification of Proton Management Ltd. or its employees and consultants  
16 concerning the allegations in the Amended Complaint located after a reasonable  
17 search, after the entry of a protective order.

18 **REQUEST FOR PRODUCTION NO. 36:**

19 Documents sufficient to identify all persons who own any interest in You,  
20 including Documents sufficient to identify when those persons acquired that interest  
21 and the size and nature of that interest.

22 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 36:**

23 Responding Party incorporates by references the General Objections and  
24 Objections to Definitions above as if fully set forth herein. Responding Party objects  
25 to this request to the extent that it seeks information that is protected from disclosure  
26 by the attorney-client privilege, work product doctrine, or any other applicable  
27 privilege or protection. Responding Party objects to this request to the extent that it  
28 is unreasonably cumulative or duplicative of other requests for production.



1 Responding Party objects to the request to the extent that it purports to require  
2 Responding Party to produce documents that contain trade secrets of Responding  
3 Party, or other confidential business, financial, proprietary, or sensitive information  
4 of Responding Party or third parties without entry of a satisfactory confidentiality  
5 order. Responding Party objects that this request is vague and ambiguous and  
6 overbroad, including in its use of the phrase “You.” Responding Party will interpret  
7 “You” to mean Proton Management Ltd.

8 Subject to and without waiving the foregoing objections, Responding Party  
9 will produce non-privileged documents responsive to this request after the entry of a  
10 protective order.

11 **REQUEST FOR PRODUCTION NO. 37:**

12 Documents sufficient to identify all persons in whom you own any interest,  
13 including Documents sufficient to identify when You acquired that interest and the  
14 size and nature of that interest.

15 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 37:**

16 Responding Party incorporates by references the General Objections and  
17 Objections to Definitions above as if fully set forth herein. Responding Party objects  
18 to this request to the extent that it seeks information that is protected from disclosure  
19 by the attorney-client privilege, work product doctrine, or any other applicable  
20 privilege or protection. Responding Party objects to this request to the extent that it  
21 is unreasonably cumulative or duplicative of other requests for production.

22 Responding Party objects to the request to the extent that it purports to require  
23 Responding Party to produce documents that contain trade secrets of Responding  
24 Party, or other confidential business, financial, proprietary, or sensitive information  
25 of Responding Party or third parties without entry of a satisfactory confidentiality  
26 order. Responding Party objects that this request is vague and ambiguous and  
27 overbroad, including in its use of the phrase “You.” Responding Party will interpret  
28 “You” to mean Proton Management Ltd.

1 Subject to and without waiving the foregoing objections, Responding Party  
2 will produce non-privileged documents responsive to this request after the entry of a  
3 protective order.

4 **REQUEST FOR PRODUCTION NO. 38:**

5 Documents and Communications concerning any actual, planned, or  
6 attempted investment in You by any person, including but not limited to  
7 Communications You sent to any actual or potential investors.

8 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 38:**

9 Responding Party incorporates by references the General Objections and  
10 Objections to Definitions above as if fully set forth herein. Responding Party objects  
11 to this request to the extent that it seeks information that is protected from disclosure  
12 by the attorney-client privilege, work product doctrine, or any other applicable  
13 privilege or protection. Responding Party objects to this request to the extent that it  
14 is unreasonably cumulative or duplicative of other requests for production.  
15 Responding Party objects to the request to the extent that it purports to require  
16 Responding Party to produce documents that contain trade secrets of Responding  
17 Party, or other confidential business, financial, proprietary, or sensitive information  
18 of Responding Party or third parties without entry of a satisfactory confidentiality  
19 order. Responding Party also objects to this request for “Documents and  
20 Communications” without limitation on the grounds that it is overbroad and subjects  
21 Responding Party to unreasonable and undue annoyance, oppression, burden, and  
22 expense. Responding Party objects that this request is vague and ambiguous and  
23 overbroad, including in its use of the phrase “You.” Responding Party will interpret  
24 “You” to mean Proton Management Ltd.

25 Subject to and without waiving the foregoing objections, Responding Party  
26 will produce non-privileged documents responsive to this request located after a  
27 reasonable search, if any, after the entry of a protective order.

28

1 **REQUEST FOR PRODUCTION NO. 39:**

2 Documents and Communications concerning any valuation of Your business,  
3 including but not limited to any valuations of any subparts of that business, such as  
4 services You provide related to Bitcoin mining.

5 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 39:**

6 Responding Party incorporates by references the General Objections and  
7 Objections to Definitions above as if fully set forth herein. Responding Party objects  
8 to this request to the extent that it seeks information that is protected from disclosure  
9 by the attorney-client privilege, work product doctrine, or any other applicable  
10 privilege or protection. Responding Party also objects to this request's demand as  
11 being compound, overbroad, overly burdensome, and harassing, and as seeking  
12 documents that are not relevant to the claims or defenses in this action. Responding  
13 Party further objects to this request on the grounds that it is vague, overbroad and  
14 subjects Responding Party to unreasonable and undue burden and expense.

15 Responding Party also objects to this request on the grounds and to the extent that it  
16 seeks information that is not in the possession, custody or control of Responding  
17 Party and/or is equally or more readily available from another source which is more  
18 convenient, less burdensome, or less expensive. Responding Party objects to this  
19 request to the extent that it is unreasonably cumulative or duplicative of other  
20 requests for production. Responding Party objects to the request to the extent that it  
21 purports to require Responding Party to produce documents that contain trade  
22 secrets of Responding Party, or other confidential business, financial, proprietary, or  
23 sensitive information of Responding Party or third parties without entry of a  
24 satisfactory confidentiality order. Responding Party objects that this request is  
25 vague and ambiguous and overbroad, including in its use of the phrase "You."  
26 Responding Party will interpret "You" to mean Proton Management Ltd.

27 Responding Party further objects to this Request on the grounds that Propounding  
28 Party has failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires

1 Propounding Party to identify with reasonable particularity the trade secrets it alleges  
2 that any defendant misappropriated before commencing discovery, as required by  
3 Section H of the Court's Scheduling Order (Dkt. 95).

4 **REQUEST FOR PRODUCTION NO. 40:**

5 Financial statements, including but not limited to income statements, balance  
6 sheets, cash flow statements, statement of shareholders' equity, and other financial  
7 and/or accounting statements showing income and/or expenses, assets and liabilities,  
8 equity, cash flows, and capital accounts of any type related to services you provide  
9 related to Bitcoin mining.

10 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 40:**

11 Responding Party incorporates by references the General Objections and  
12 Objections to Definitions above as if fully set forth herein. Responding Party objects  
13 to this request to the extent that it seeks information that is protected from disclosure  
14 by the attorney-client privilege, work product doctrine, or any other applicable  
15 privilege or protection. Responding Party objects to this request to the extent that it  
16 is unreasonably cumulative or duplicative of other requests for production.  
17 Responding Party objects to the request to the extent that it purports to require  
18 Responding Party to produce documents that contain trade secrets of Responding  
19 Party, or other confidential business, financial, proprietary, or sensitive information  
20 of Responding Party or third parties without entry of a satisfactory confidentiality  
21 order. Responding Party objects that this request is vague and ambiguous and  
22 overbroad, including in its use of the phrase "You." Responding Party will interpret  
23 "You" to mean Proton Management Ltd. Responding Party further objects to this  
24 Request on the grounds that Propounding Party has failed to comply with Cal. Civ.  
25 Proc. Code § 2019.210, which requires Propounding Party to identify with  
26 reasonable particularity the trade secrets it alleges that any defendant  
27 misappropriated before commencing discovery, as required by Section H of the  
28 Court's Scheduling Order (Dkt. 95).

**REQUEST FOR PRODUCTION NO. 41:**

All Communications between You and persons associated with the Mining Sites You manage, operate, or otherwise engage with related to Bitcoin mining activities, including but not limited to all Communications exchanged via Signal, Telegram, and WhatsApp.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 41:**

Responding Party incorporates by references the General Objections and Objections to Definitions above as if fully set forth herein. Responding Party objects to this request to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, work product doctrine, or any other applicable privilege or protection. Responding Party also objects to this request's demand as being compound, overbroad, overly burdensome, and harassing, and as seeking documents that are not relevant to the claims or defenses in this action. Responding Party further objects to this request on the grounds that it is vague, overbroad and subjects Responding Party to unreasonable and undue burden and expense. Responding Party also objects to this request on the grounds and to the extent that it seeks information that is not in the possession, custody or control of Responding Party and/or is equally or more readily available from another source which is more convenient, less burdensome, or less expensive. Responding Party objects to this request to the extent that it is unreasonably cumulative or duplicative of other requests for production. Responding Party objects to the request to the extent that it purports to require Responding Party to produce documents that contain trade secrets of Responding Party, or other confidential business, financial, proprietary, or sensitive information of Responding Party or third parties without entry of a satisfactory confidentiality order. Responding Party also objects to this request for "All Communications" on the grounds that it is overbroad and subjects Responding Party to unreasonable and undue annoyance, oppression, burden, and expense. Responding Party further objects to this Request on the grounds that Propounding

1 Party has failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires  
2 Propounding Party to identify with reasonable particularity the trade secrets it alleges  
3 that any defendant misappropriated before commencing discovery, as required by  
4 Section H of the Court's Scheduling Order (Dkt. 95).

5 **REQUEST FOR PRODUCTION NO. 42:**

6 Communications concerning Your actual, planned, inadvertent, or attempted  
7 efforts to delete, conceal, or spoliage evidence related to the subject matter of this  
8 Action

9 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 42:**

10 Responding Party incorporates by references the General Objections and  
11 Objections to Definitions above as if fully set forth herein. Responding Party objects  
12 to this request to the extent that it seeks information that is protected from disclosure  
13 by the attorney-client privilege, work product doctrine, or any other applicable  
14 privilege or protection. Responding Party also objects to this request's demand as  
15 being compound, overbroad, overly burdensome, and harassing, and as seeking  
16 documents that are not relevant to the claims or defenses in this action. Responding  
17 Party further objects to this request on the grounds that it is vague, overbroad and  
18 subjects Responding Party to unreasonable and undue burden and expense.  
19 Responding Party also objects to this request on the grounds and to the extent that it  
20 seeks information that is not in the possession, custody or control of Responding  
21 Party and/or is equally or more readily available from another source which is more  
22 convenient, less burdensome, or less expensive. Responding Party objects to this  
23 request to the extent that it is unreasonably cumulative or duplicative of other  
24 requests for production. Responding Party objects to the request to the extent that it  
25 purports to require Responding Party to produce documents that contain trade  
26 secrets of Responding Party, or other confidential business, financial, proprietary, or  
27 sensitive information of Responding Party or third parties without entry of a  
28 satisfactory confidentiality order. Responding Party further objects to this Request



1 on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc.  
2 Code § 2019.210, which requires Propounding Party to identify with reasonable  
3 particularly the trade secrets it alleges that any defendant misappropriated before  
4 commencing discovery, as required by Section H of the Court's Scheduling Order  
5 (Dkt. 95).

6 **REQUEST FOR PRODUCTION NO. 43:**

7 Communications concerning the use of ephemeral messaging applications  
8 (such as Signal, Telegram, or WhatsApp) for You and/or Your employees,  
9 consultants, and other agents' communications, including but not limited to  
10 Communications concerning switching from non-ephemeral messaging applications  
11 to ephemeral ones.

12 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 43:**

13 Responding Party incorporates by references the General Objections and  
14 Objections to Definitions above as if fully set forth herein. Responding Party objects  
15 to this request to the extent that it seeks information that is protected from disclosure  
16 by the attorney-client privilege, work product doctrine, or any other applicable  
17 privilege or protection. Responding Party also objects to this request's demand as  
18 being compound, overbroad, overly burdensome, and harassing, and as seeking  
19 documents that are not relevant to the claims or defenses in this action. Responding  
20 Party further objects to this request on the grounds that it is vague, overbroad and  
21 subjects Responding Party to unreasonable and undue burden and expense.  
22 Responding Party also objects to this request on the grounds and to the extent that it  
23 seeks information that is not in the possession, custody or control of Responding  
24 Party and/or is equally or more readily available from another source which is more  
25 convenient, less burdensome, or less expensive. Responding Party objects to this  
26 request to the extent that it is unreasonably cumulative or duplicative of other  
27 requests for production. Responding Party objects to the request to the extent that it  
28 purports to require Responding Party to produce documents that contain trade



1 secrets of Responding Party, or other confidential business, financial, proprietary, or  
2 sensitive information of Responding Party or third parties without entry of a  
3 satisfactory confidentiality order. Responding Party objects that this request is vague  
4 and ambiguous, including in its use of the phrase “ephemeral messaging  
5 applications”. Responding Party further objects to this Request on the grounds that  
6 Propounding Party has failed to comply with Cal. Civ. Proc. Code § 2019.210,  
7 which requires Propounding Party to identify with reasonable particularity the trade  
8 secrets it alleges that any defendant misappropriated before commencing discovery,  
9 as required by Section H of the Court’s Scheduling Order (Dkt. 95).

10 **REQUEST FOR PRODUCTION NO. 44:**

11 Documents and Communications concerning Your involvement in the actual,  
12 planned, or attempted sale of ASICs or other hardware or infrastructure related to  
13 Bitcoin mining, including your valuation of any ASICs for the purpose of a sale or  
14 attempted or planned sale.

15 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 44:**

16 Responding Party incorporates by references the General Objections and  
17 Objections to Definitions above as if fully set forth herein. Responding Party objects  
18 to this request to the extent that it seeks information that is protected from disclosure  
19 by the attorney-client privilege, work product doctrine, or any other applicable  
20 privilege or protection. Responding Party also objects to this request’s demand as  
21 being compound, overbroad, overly burdensome, and harassing, and as seeking  
22 documents that are not relevant to the claims or defenses in this action. Responding  
23 Party further objects to this request on the grounds that it is vague, overbroad and  
24 subjects Responding Party to unreasonable and undue burden and expense.  
25 Responding Party also objects to this request on the grounds and to the extent that it  
26 seeks information that is not in the possession, custody or control of Responding  
27 Party and/or is equally or more readily available from another source which is more  
28 convenient, less burdensome, or less expensive. Responding Party objects to this

1 request to the extent that it is unreasonably cumulative or duplicative of other  
2 requests for production. Responding Party objects to the request to the extent that it  
3 purports to require Responding Party to produce documents that contain trade  
4 secrets of Responding Party, or other confidential business, financial, proprietary, or  
5 sensitive information of Responding Party or third parties without entry of a  
6 satisfactory confidentiality order. Responding Party further objects to this Request  
7 on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc.  
8 Code § 2019.210, which requires Propounding Party to identify with reasonable  
9 particularly the trade secrets it alleges that any defendant misappropriated before  
10 commencing discovery, as required by Section H of the Court's Scheduling Order  
11 (Dkt. 95).

12 **REQUEST FOR PRODUCTION NO. 45:**

13 Documents and Communications concerning Your or Your employees,  
14 consultants, and other agents' concealment of assets, transfer of assets to third  
15 parties, or attempts to limit Swan's ability to recover assets in connection with this  
16 Action.

17 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 45:**

18 Responding Party incorporates by references the General Objections and  
19 Objections to Definitions above as if fully set forth herein. Responding Party objects  
20 to this request to the extent that it seeks information that is protected from disclosure  
21 by the attorney-client privilege, work product doctrine, or any other applicable  
22 privilege or protection. Responding Party also objects to this request's demand as  
23 being compound, overbroad, overly burdensome, and harassing, and as seeking  
24 documents that are not relevant to the claims or defenses in this action. Responding  
25 Party further objects to this request on the grounds that it is vague, overbroad and  
26 subjects Responding Party to unreasonable and undue burden and expense.  
27 Responding Party also objects to this request on the grounds and to the extent that it  
28 seeks information that is not in the possession, custody or control of Responding

1 Party and/or is equally or more readily available from another source which is more  
2 convenient, less burdensome, or less expensive. Responding Party objects to this  
3 request to the extent that it is unreasonably cumulative or duplicative of other  
4 requests for production. Responding Party objects to the request to the extent that it  
5 purports to require Responding Party to produce documents that contain trade  
6 secrets of Responding Party, or other confidential business, financial, proprietary, or  
7 sensitive information of Responding Party or third parties without entry of a  
8 satisfactory confidentiality order. Responding Party further objects to this Request  
9 on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc.  
10 Code § 2019.210, which requires Propounding Party to identify with reasonable  
11 particularly the trade secrets it alleges that any defendant misappropriated before  
12 commencing discovery, as required by Section H of the Court's Scheduling Order  
13 (Dkt. 95).

14 **REQUEST FOR PRODUCTION NO. 46:**

15 Documents sufficient to identify the amount and location of Your assets,  
16 including but not limited to identifying all Bitcoin owned or controlled by You  
17 and/or Your employees, consultants, and other agents.

18 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 46:**

19 Responding Party incorporates by references the General Objections and  
20 Objections to Definitions above as if fully set forth herein. Responding Party objects  
21 to this request to the extent that it seeks information that is protected from disclosure  
22 by the attorney-client privilege, work product doctrine, or any other applicable  
23 privilege or protection. Responding Party objects to this request to the extent that it  
24 is unreasonably cumulative or duplicative of other requests for production.  
25 Responding Party objects to the to the extent that it purports to require Responding  
26 Party to produce documents that contain trade secrets of Responding Party, or other  
27 confidential business, financial, proprietary, or sensitive information of Responding  
28 Party or third parties without entry of a satisfactory confidentiality order.

1 Responding Party further objects to this Request on the grounds that Propounding  
2 Party has failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires  
3 Propounding Party to identify with reasonable particularity the trade secrets it alleges  
4 that any defendant misappropriated before commencing discovery, as required by  
5 Section H of the Court's Scheduling Order (Dkt. 95).

6 **REQUEST FOR PRODUCTION NO. 47:**

7 All Documents and Communications concerning Your holding Yourself or  
8 Your employees, consultants, and other agents out as former Swan employees,  
9 consultants, or agents.

10 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 47:**

11 Responding Party incorporates by references the General Objections and  
12 Objections to Definitions above as if fully set forth herein. Responding Party objects  
13 to this request to the extent that it seeks information that is protected from disclosure  
14 by the attorney-client privilege, work product doctrine, or any other applicable  
15 privilege or protection. Responding Party also objects to this request's demand as  
16 being compound, overbroad, overly burdensome, and harassing, and as seeking  
17 documents that are not relevant to the claims or defenses in this action. Responding  
18 Party further objects to this request on the grounds that it is vague, overbroad and  
19 subjects Responding Party to unreasonable and undue burden and expense.  
20 Responding Party also objects to this request on the grounds and to the extent that it  
21 seeks information that is not in the possession, custody or control of Responding  
22 Party and/or is equally or more readily available from another source which is more  
23 convenient, less burdensome, or less expensive. Responding Party objects to this  
24 request to the extent that it is unreasonably cumulative or duplicative of other  
25 requests for production. Responding Party objects to the request to the extent that it  
26 purports to require Responding Party to produce documents that contain trade  
27 secrets of Responding Party, or other confidential business, financial, proprietary, or  
28 sensitive information of Responding Party or third parties without entry of a

1 satisfactory confidentiality order. Responding Party further objects to this Request  
2 on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc.  
3 Code § 2019.210, which requires Propounding Party to identify with reasonable  
4 particularly the trade secrets it alleges that any defendant misappropriated before  
5 commencing discovery, as required by Section H of the Court's Scheduling Order  
6 (Dkt. 95).

7 **REQUEST FOR PRODUCTION NO. 48:**

8 All Documents and Communications that You sent to actual or prospective  
9 customers, investors, vendors, business partners, funding sources, or other parties  
10 referencing or containing Swan's name, logo, or the names of Swan personnel.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 48:**

12 Responding Party incorporates by references the General Objections and  
13 Objections to Definitions above as if fully set forth herein. Responding Party objects  
14 to this request to the extent that it seeks information that is protected from disclosure  
15 by the attorney-client privilege, work product doctrine, or any other applicable  
16 privilege or protection. Responding Party also objects to this request's demand as  
17 being compound, overbroad, overly burdensome, and harassing, and as seeking  
18 documents that are not relevant to the claims or defenses in this action. Responding  
19 Party further objects to this request on the grounds that it is vague, overbroad and  
20 subjects Responding Party to unreasonable and undue burden and expense.  
21 Responding Party also objects to this request on the grounds and to the extent that it  
22 seeks information that is not in the possession, custody or control of Responding  
23 Party and/or is equally or more readily available from another source which is more  
24 convenient, less burdensome, or less expensive. Responding Party objects to this  
25 request to the extent that it is unreasonably cumulative or duplicative of other  
26 requests for production. Responding Party objects to the request to the extent that it  
27 purports to require Responding Party to produce documents that contain trade  
28 secrets of Responding Party, or other confidential business, financial, proprietary, or

1 sensitive information of Responding Party or third parties without entry of a  
2 satisfactory confidentiality order. Responding Party also objects to this request for  
3 “All Documents and Communications” on the grounds that it is overbroad and  
4 subjects Responding Party to unreasonable and undue annoyance, oppression,  
5 burden, and expense. Responding Party further objects to this Request on the  
6 grounds that Propounding Party has failed to comply with Cal. Civ. Proc. Code §  
7 2019.210, which requires Propounding Party to identify with reasonable particularity  
8 the trade secrets it alleges that any defendant misappropriated before commencing  
9 discovery, as required by Section H of the Court’s Scheduling Order (Dkt. 95).

10 **REQUEST FOR PRODUCTION NO. 49:**

11 All Documents and Communications concerning any statements made by You  
12 and/or Your employees, consultants, independent contractors, and other agents  
13 disparaging or otherwise saying anything negative about Swan.

14 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 49:**

15 Responding Party incorporates by references the General Objections and  
16 Objections to Definitions above as if fully set forth herein. Responding Party objects  
17 to this request to the extent that it seeks information that is protected from disclosure  
18 by the attorney-client privilege, work product doctrine, or any other applicable  
19 privilege or protection. Responding Party also objects to this request’s demand as  
20 being compound, overbroad, overly burdensome, and harassing, and as seeking  
21 documents that are not relevant to the claims or defenses in this action. Responding  
22 Party also objects to this request on the grounds and to the extent that it seeks  
23 information that is not in the possession, custody or control of Responding Party  
24 and/or is equally or more readily available from another source which is more  
25 convenient, less burdensome, or less expensive. Responding Party objects to this  
26 request to the extent that it is unreasonably cumulative or duplicative of other  
27 requests for production. Responding Party objects to the request to the extent that it  
28 purports to require Responding Party to produce documents that contain trade



1 secrets of Responding Party, or other confidential business, financial, proprietary, or  
2 sensitive information of Responding Party or third parties without entry of a  
3 satisfactory confidentiality order. Responding Party also objects to this request for  
4 “All Documents and Communications” on the grounds that it is overbroad and  
5 subjects Responding Party to unreasonable and undue annoyance, oppression,  
6 burden, and expense. Responding Party objects that this request is vague and  
7 ambiguous and overbroad, including in its use of the phrase “Your.” Responding  
8 Party will interpret “Your” to mean Proton Management Ltd.

9       Subject to and without waiving the foregoing objections, Responding Party  
10 will produce non-privileged documents responsive to this request located after a  
11 reasonable search, after the entry of a protective order.

12 **REQUEST FOR PRODUCTION NO. 50:**

13       All Documents and Communications concerning any statements made by You  
14 and/or Your employees, consultants, independent contractors, and other agents  
15 praising or otherwise saying anything positive about Swan.

16 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 50:**

17       Responding Party incorporates by references the General Objections and  
18 Objections to Definitions above as if fully set forth herein. Responding Party objects  
19 to this request to the extent that it seeks information that is protected from disclosure  
20 by the attorney-client privilege, work product doctrine, or any other applicable  
21 privilege or protection. Responding Party also objects to this request’s demand as  
22 being compound, overbroad, overly burdensome, and harassing, and as seeking  
23 documents that are not relevant to the claims or defenses in this action. Responding  
24 Party also objects to this request on the grounds and to the extent that it seeks  
25 information that is not in the possession, custody or control of Responding Party  
26 and/or is equally or more readily available from another source which is more  
27 convenient, less burdensome, or less expensive. Responding Party objects to this  
28 request to the extent that it is unreasonably cumulative or duplicative of other



1 requests for production. Responding Party objects to the request to the extent that it  
2 purports to require Responding Party to produce documents that contain trade  
3 secrets of Responding Party, or other confidential business, financial, proprietary, or  
4 sensitive information of Responding Party or third parties without entry of a  
5 satisfactory confidentiality order. Responding Party also objects to this request for  
6 “All Documents and Communications” on the grounds that it is overbroad and  
7 subjects Responding Party to unreasonable and undue annoyance, oppression,  
8 burden, and expense. Responding Party objects that this request is vague and  
9 ambiguous and overbroad, including in its use of the phrase “Your.” Responding  
10 Party will interpret “Your” to mean Proton Management Ltd.

11 Subject to and without waiving the foregoing objections, Responding Party  
12 will produce non-privileged documents responsive to this request located after a  
13 reasonable search, after the entry of a protective order.

14 **REQUEST FOR PRODUCTION NO. 51:**

15 All Documents or Communications concerning Your employees, consultants,  
16 and other agents’ who formerly provided services to Swan ceasing their  
17 engagements with Swan, including but not limited to Documents or  
18 Communications concerning such persons’ resignations from Swan.

19 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 51:**

20 Responding Party incorporates by references the General Objections and  
21 Objections to Definitions above as if fully set forth herein. Responding Party objects  
22 to this request to the extent that it seeks information that is protected from disclosure  
23 by the attorney-client privilege, work product doctrine, or any other applicable  
24 privilege or protection. Responding Party also objects to this request’s demand as  
25 being compound, overbroad, overly burdensome, and harassing, and as seeking  
26 documents that are not relevant to the claims or defenses in this action. Responding  
27 Party also objects to this request on the grounds and to the extent that it seeks  
28 information that is not in the possession, custody or control of Responding Party

1 and/or is equally or more readily available from another source which is more  
2 convenient, less burdensome, or less expensive. Responding Party objects to this  
3 request to the extent that it is unreasonably cumulative or duplicative of other  
4 requests for production. Responding Party objects to the request to the extent that it  
5 purports to require Responding Party to produce documents that contain trade  
6 secrets of Responding Party, or other confidential business, financial, proprietary, or  
7 sensitive information of Responding Party or third parties without entry of a  
8 satisfactory confidentiality order. Responding Party also objects to this request for  
9 “All Documents and Communications” on the grounds that it is overbroad and  
10 subjects Responding Party to unreasonable and undue annoyance, oppression,  
11 burden, and expense. Responding Party objects that this request is vague and  
12 ambiguous and overbroad, including in its use of the phrase “Your.” Responding  
13 Party will interpret “Your” to mean Proton Management Ltd.

14 Subject to and without waiving the foregoing objections, Responding Party  
15 will produce non-privileged documents responsive to this request after the entry of a  
16 protective order.

17 **REQUEST FOR PRODUCTION NO. 52:**

18 Documents and Communications concerning the reasons why any of Your  
19 employees, consultants, and other agents who formerly provided services to Swan  
20 no longer provide those services to Swan, including but not limited to Documents  
21 and Communications concerning why any such persons resigned from Swan.

22 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 52:**

23 Responding Party incorporates by references the General Objections and  
24 Objections to Definitions above as if fully set forth herein. Responding Party objects  
25 to this request to the extent that it seeks information that is protected from disclosure  
26 by the attorney-client privilege, work product doctrine, or any other applicable  
27 privilege or protection. Responding Party also objects to this request’s demand as  
28 being compound, overbroad, overly burdensome, and harassing, and as seeking

1 documents that are not relevant to the claims or defenses in this action. Responding  
2 Party also objects to this request on the grounds and to the extent that it seeks  
3 information that is not in the possession, custody or control of Responding Party  
4 and/or is equally or more readily available from another source which is more  
5 convenient, less burdensome, or less expensive. Responding Party objects to this  
6 request to the extent that it is unreasonably cumulative or duplicative of other  
7 requests for production. Responding Party objects to the request to the extent that it  
8 purports to require Responding Party to produce documents that contain trade  
9 secrets of Responding Party, or other confidential business, financial, proprietary, or  
10 sensitive information of Responding Party or third parties without entry of a  
11 satisfactory confidentiality order. Responding Party also objects to this request for  
12 “All Documents and Communications” on the grounds that it is overbroad and  
13 subjects Responding Party to unreasonable and undue annoyance, oppression,  
14 burden, and expense. Responding Party objects that this request is vague and  
15 ambiguous and overbroad, including in its use of the phrase “Your.” Responding  
16 Party will interpret “Your” to mean Proton Management Ltd.

17 Subject to and without waiving the foregoing objections, Responding Party  
18 will produce non-privileged documents responsive to this request after the entry of a  
19 protective order.

20 **REQUEST FOR PRODUCTION NO. 53:**

21 All Communications between You and Marlin Capital, including but not  
22 limited to Communications between You and Zachary Lyons.

23 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 53:**

24 Responding Party incorporates by references the General Objections and  
25 Objections to Definitions above as if fully set forth herein. Responding Party objects  
26 to this request to the extent that it seeks information that is protected from disclosure  
27 by the attorney-client privilege, work product doctrine, or any other applicable  
28 privilege or protection. Responding Party also objects to this request’s demand as

1 being compound, overbroad, overly burdensome, and harassing, and as seeking  
2 documents that are not relevant to the claims or defenses in this action. Responding  
3 Party also objects to this request on the grounds and to the extent that it seeks  
4 information that is not in the possession, custody or control of Responding Party  
5 and/or is equally or more readily available from another source which is more  
6 convenient, less burdensome, or less expensive. Responding Party objects to this  
7 request to the extent that it is unreasonably cumulative or duplicative of other  
8 requests for production. Responding Party objects to the request to the extent that it  
9 purports to require Responding Party to produce documents that contain trade  
10 secrets of Responding Party, or other confidential business, financial, proprietary, or  
11 sensitive information of Responding Party or third parties without entry of a  
12 satisfactory confidentiality order. Responding Party also objects to this request for  
13 “All Documents and Communications” on the grounds that it is overbroad and  
14 subjects Responding Party to unreasonable and undue annoyance, oppression,  
15 burden, and expense. Responding Party objects that this request is vague and  
16 ambiguous and overbroad, including in its use of the phrase “You.” Responding  
17 Party will interpret “You” to mean Proton Management Ltd.

18 Subject to and without waiving the foregoing objections, Responding Party  
19 will produce non-privileged communications between Proton Management Ltd. and  
20 Marlin Capital concerning the allegations in the Amended Complaint, after the entry  
21 of a protective order.

22 **REQUEST FOR PRODUCTION NO. 54:**

23 Documents sufficient to identify all travel by You, including but not limited  
24 to Your employees, consultants, and other agents, to California and/or the United  
25 States during the Relevant Period.

26 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

27 Responding Party incorporates by references the General Objections and  
28 Objections to Definitions above as if fully set forth herein. Responding Party objects

1 to this request to the extent that it seeks information that is protected from disclosure  
2 by the attorney-client privilege, work product doctrine, or any other applicable  
3 privilege or protection. Responding Party objects to this request to the extent that it  
4 is unreasonably cumulative or duplicative of other requests for production.  
5 Responding Party objects to the request to the extent that it purports to require  
6 Responding Party to produce documents that contain trade secrets of Responding  
7 Party, or other confidential business, financial, proprietary, or sensitive information  
8 of Responding Party or third parties without entry of a satisfactory confidentiality  
9 order. Responding Party also objects to this request's demand as being compound,  
10 overbroad, overly burdensome, and harassing, and as seeking documents that are not  
11 relevant to the claims or defenses in this action. Plaintiff has agreed to withdraw  
12 this request.

13 **REQUEST FOR PRODUCTION NO. 55:**

14 Documents and Communications regarding business, customer, corporate, or  
15 other relationships between You and Ilios Corp.

16 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 55:**

17 Responding Party incorporates by references the General Objections and  
18 Objections to Definitions above as if fully set forth herein. Responding Party objects  
19 to this request to the extent that it seeks information that is protected from disclosure  
20 by the attorney-client privilege, work product doctrine, or any other applicable  
21 privilege or protection. Responding Party also objects to this request's demand as  
22 being compound, overbroad, overly burdensome, and harassing, and as seeking  
23 documents that are not relevant to the claims or defenses in this action. Responding  
24 Party further objects to this request on the grounds that it is vague, overbroad and  
25 subjects Responding Party to unreasonable and undue burden and expense.  
26 Responding Party also objects to this request on the grounds and to the extent that it  
27 seeks information that is not in the possession, custody or control of Responding  
28 Party and/or is equally or more readily available from another source which is more

1 convenient, less burdensome, or less expensive. Responding Party objects to this  
2 request to the extent that it is unreasonably cumulative or duplicative of other  
3 requests for production. Responding Party objects to the request to the extent that it  
4 purports to require Responding Party to produce documents that contain trade  
5 secrets of Responding Party, or other confidential business, financial, proprietary, or  
6 sensitive information of Responding Party or third parties without entry of a  
7 satisfactory confidentiality order. Responding Party further objects to this Request  
8 on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc.  
9 Code § 2019.210, which requires Propounding Party to identify with reasonable  
10 particularly the trade secrets it alleges that any defendant misappropriated before  
11 commencing discovery, as required by Section H of the Court's Scheduling Order  
12 (Dkt. 95).

13 **REQUEST FOR PRODUCTION NO. 56:**

14 Documents and Communications between You and any United States  
15 governmental agency, California governmental agency, or Wyoming governmental  
16 agency.

17 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 56:**

18 Responding Party incorporates by references the General Objections and  
19 Objections to Definitions above as if fully set forth herein. Responding Party objects  
20 to this request to the extent that it seeks information that is protected from disclosure  
21 by the attorney-client privilege, work product doctrine, or any other applicable  
22 privilege or protection. Responding Party also objects to this request's demand as  
23 being compound, overbroad, overly burdensome, and harassing, and as seeking  
24 documents that are not relevant to the claims or defenses in this action. Responding  
25 Party further objects to this request on the grounds that it is vague, overbroad and  
26 subjects Responding Party to unreasonable and undue burden and expense.  
27 Responding Party also objects to this request on the grounds and to the extent that it  
28 seeks information that is not in the possession, custody or control of Responding



1 Party and/or is equally or more readily available from another source which is more  
2 convenient, less burdensome, or less expensive. Responding Party objects to this  
3 request to the extent that it is unreasonably cumulative or duplicative of other  
4 requests for production. Responding Party objects to the request to the extent that it  
5 purports to require Responding Party to produce documents that contain trade  
6 secrets of Responding Party, or other confidential business, financial, proprietary, or  
7 sensitive information of Responding Party or third parties without entry of a  
8 satisfactory confidentiality order. Responding Party objects that this request is  
9 vague and ambiguous and overbroad, including in its use of the phrase “Your.”  
10 Responding Party will interpret “Your” to mean Proton Management Ltd.

11 Subject to and without waiving the foregoing objections, Responding Party  
12 will produce non-privileged documents responsive to this request located after a  
13 reasonable search, after the entry of a protective order.

14 **REQUEST FOR PRODUCTION NO. 57:**

15 Documents sufficient to identify the GitHub repository or repositories used to  
16 store any source code used by You related to Bitcoin mining.

17 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

18 Responding Party incorporates by references the General Objections and  
19 Objections to Definitions above as if fully set forth herein. Responding Party objects  
20 to this request to the extent that it seeks information that is protected from disclosure  
21 by the attorney-client privilege, work product doctrine, or any other applicable  
22 privilege or protection. Responding Party objects to this request to the extent that it  
23 is unreasonably cumulative or duplicative of other requests for production.  
24 Responding Party objects to the request to the extent that it purports to require  
25 Responding Party to produce documents that contain trade secrets of Responding  
26 Party, or other confidential business, financial, proprietary, or sensitive information  
27 of Responding Party or third parties without entry of a satisfactory confidentiality  
28 order. Responding Party further objects to this Request on the grounds that



1 Propounding Party has failed to comply with Cal. Civ. Proc. Code § 2019.210,  
2 which requires Propounding Party to identify with reasonable particularity the trade  
3 secrets it alleges that any defendant misappropriated before commencing discovery,  
4 as required by Section H of the Court's Scheduling Order (Dkt. 95).

5 **REQUEST FOR PRODUCTION NO. 58:**

6 All Documents, including source code, maintained on GitHub by the GitHub  
7 organization "elektron-tech," including but not limited to all Documents housed in  
8 the repository named "nxt."

9 **SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

10 Responding Party incorporates by references the General Objections and  
11 Objections to Definitions above as if fully set forth herein. Responding Party objects  
12 to this request to the extent that it seeks information that is protected from disclosure  
13 by the attorney-client privilege, work product doctrine, or any other applicable  
14 privilege or protection. Responding Party also objects to this request's demand as  
15 being compound, overbroad, overly burdensome, and harassing, and as seeking  
16 documents that are not relevant to the claims or defenses in this action. Responding  
17 Party further objects to this request on the grounds that it is vague, overbroad and  
18 subjects Responding Party to unreasonable and undue burden and expense.  
19 Responding Party also objects to this request on the grounds and to the extent that it  
20 seeks information that is not in the possession, custody or control of Responding  
21 Party and/or is equally or more readily available from another source which is more  
22 convenient, less burdensome, or less expensive. Responding Party objects to this  
23 request to the extent that it is unreasonably cumulative or duplicative of other  
24 requests for production. Responding Party objects to the request to the extent that it  
25 purports to require Responding Party to produce documents that contain trade  
26 secrets of Responding Party, or other confidential business, financial, proprietary, or  
27 sensitive information of Responding Party or third parties without entry of a  
28 satisfactory confidentiality order. Responding Party also objects to this request for

1 “All Documents” on the grounds that it is overbroad and subjects Responding Party  
2 to unreasonable and undue annoyance, oppression, burden, and expense.  
3 Responding Party further objects to this Request on the grounds that Propounding  
4 Party has failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires  
5 Propounding Party to identify with reasonable particularity the trade secrets it alleges  
6 that any defendant misappropriated before commencing discovery, as required by  
7 Section H of the Court’s Scheduling Order (Dkt. 95).

8  
9 Dated: April 25, 2025

BERGESON, LLP

10  
11  
12 By: /s/ Adam C. Trigg

Adam C. Trigg

13  
14 Attorneys for Defendant PROTON  
MANAGEMENT LTD.

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF SANTA CLARA**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Santa Clara, State of California. My business address is 111 N. Market Street, Suite 600, San Jose, CA 95113.

On April 25, 2025, I served true copies of the following document(s) described as: **DEFENDANT PROTON MANAGEMENT LTD'S SUPPLEMENTAL RESPONSES AND OBJECTIONS TO PLAINTIFF'S SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS** on the interested parties in this action as follows:

**Attorneys for Plaintiff  
ELECTRIC SOLIDUS, INC. d/b/a  
SWAN BITCOIN**

Harris M. Mufson (*PHV forthcoming*)  
[hmufson@gibsondunn.com](mailto:hmufson@gibsondunn.com)  
GIBSON, DUNN & CRUTCHER LLP  
200 Park Avenue  
New York, New York 10166-0193  
Tel: 212-351-4000

Matthew D. McGill (*PHV*)  
[mmcgill@gibsondunn.com](mailto:mmcgill@gibsondunn.com)  
GIBSON, DUNN & CRUTCHER LLP  
1700 M Street, N.W.  
Washington, D.C. 20036-4504  
Tel: 202-955-8500

Ilissa Samplin SBN 314018  
[isamplin@gibsondunn.com](mailto:isamplin@gibsondunn.com)  
GIBSON, DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, California 90071-3197  
Tel: 213-229-7000

Christine Demana (*PHV*)  
[cdemana@gibsondunn.com](mailto:cdemana@gibsondunn.com)  
GIBSON, DUNN & CRUTCHER LLP  
2001 Ross Avenue, Suite 2100  
Dallas, Texas 75201-2923  
Tel: 214-698-3100

**Attorneys for Defendants  
THOMAS PATRICK FURLONG,  
ILIOS CORP., MICHAEL  
ALEXANDER HOLMES, RAFAEL  
DIAS MONTELEONE, SANTHIRAN  
NAIDOO, ENRIQUE ROMUALDEZ,  
and LUCAS VASCONCELOS**

Grant P. Fondo  
[gfondo@goodwinlaw.com](mailto:gfondo@goodwinlaw.com)  
Nirav Bhardwaj  
[nbhardwaj@goodwinlaw.com](mailto:nbhardwaj@goodwinlaw.com)  
GOODWIN PROCTER  
601 Marshall Street  
Redwood City, CA 94063  
Tel: 650-752-3100

Wendell Lin  
[wlin@goodwinlaw.com](mailto:wlin@goodwinlaw.com)  
Goodwin Procter LLP  
Three Embarcadero Center, 28th Floor  
San Francisco, CA 94111  
Tel: 415-733-6271

Matthew P. Kanny  
[mkanny@goodwinlaw.com](mailto:mkanny@goodwinlaw.com)  
Aaron Thompson  
[athompson@goodwinlaw.com](mailto:athompson@goodwinlaw.com)  
GOODWIN PROCTER  
520 Broadway, Suite 500  
Santa Monica, CA 90401  
Tel: 424-252-6400

Matthew P. Kanny  
[mkanny@goodwinlaw.com](mailto:mkanny@goodwinlaw.com)  
GOODWIN PROCTER  
601 South Figueroa Street, Suite 4100  
Los Angeles, CA 90017  
Tel: 231-426-2500

1 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of  
2 the document(s) to be sent from e-mail address ahogue@be-law.com to the persons  
3 at the e-mail addresses listed in the Service List. I did not receive, within a  
reasonable time after the transmission, any electronic message or other indication  
that the transmission was unsuccessful.

4 I declare under penalty of perjury under the laws of the United States of  
5 America that the foregoing is true and correct and that I am employed in the office  
of a member of the bar of this Court at whose direction the service was made.

6 Executed on April 25, 2025, at San Jose, California.

7  
8 /s/ Adam C. Trigg  
9 Adam C. Trigg